



FILE

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 28 1982

U. S. DISTRICT COURT

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

PAUL E. ADAMS,

Defendant.

CIVIL ACTION NO. 82-C-480-E

AGREED JUDGMENT

This matter comes on for consideration this 28<sup>th</sup> day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Philard L. Rounds, Jr., Assistant United States Attorney, and the Defendant, Paul E. Adams, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Paul E. Adams, was personally served with Summons and Complaint on April 23, 1982. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of \$679.53, plus 12% interest from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Paul E. Adams, in the amount of \$679.53, plus 12% interest from the date of this Judgment until paid.

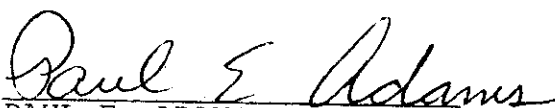
  
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
PHILARD L. ROUNDS, JR.  
Assistant U.S. Attorney

  
PAUL E. ADAMS

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED  
MAY 28 1982

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHARLES L. TUCKER,

Defendant.

CIVIL ACTION NO. 82-C-428-E

DEFAULT JUDGMENT

This matter comes on for consideration this 25 day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Charles L. Tucker, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Charles L. Tucker, was personally served with Summons and Complaint on April 26, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Charles L. Tucker, for the principal sum of \$331.33, plus interest at the rate of 12 percent from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

MAY 28 1962

Jack C. Silver, Clerk  
DISTRICT COURT

CIVIL ACTION NO. 82-C-442-B

DEFAULT JUDGMENT

This matter comes on for consideration this 28 day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds, Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Kenneth W. Lowe, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Kenneth W. Lowe, was personally served with Summons and Complaint on April 15, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Kenneth W. Lowe, for the principal sum of \$268.26, plus interest at the rate of 12 percent from the date of this Judgment until paid.

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 28 1962

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

CIVIL ACTION NO. 82-C-444-B

VS.

Defendant.

This matter comes on for consideration this 28 day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds, Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Larry D. Long, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Larry D. Long, was personally served with Summons and Complaint on April 14, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Larry D. Long, for the principal sum of \$362.83, plus interest at the rate of 12 percent from the date of this Judgment until paid.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

EUGENE FORREST,

Plaintiff,

vs.

RICHARD S. SCHWEIKER,  
Secretary of Health and  
Human Services of the  
United States of America,

Defendant.

CIVIL ACTION NO. 82-C-234-B

**FILED**

MAY 28 1982

O R D E R

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

For a good cause having been shown, it is hereby  
ordered, adjudged and decreed that the above-referenced action is  
hereby dismissed without prejudice against the United States of  
America.

Dated this 28 day of May, 1982.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 23 1982

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID R. SHARP,

Defendant.

CIVIL ACTION NO. 82-C-294-E

DEFAULT JUDGMENT

This matter comes on for consideration this 28 day  
of May, 1982, the Plaintiff appearing by Frank Keating,  
United States Attorney, through Don J. Guy, Assistant United  
States Attorney for the Northern District of Oklahoma, and the  
Defendant, David R. Sharp, appearing not.

The Court being fully advised and having examined the  
file herein finds that Defendant, David R. Sharp, was personally  
served with Summons and Complaint on March 15, 1982. The time  
within which the Defendant could have answered or otherwise moved  
as to the Complaint has expired and has not been extended. The  
Defendant has not answered or otherwise moved, and default has  
been entered by the Clerk of this Court. Plaintiff is entitled  
to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the  
Plaintiff have and recover Judgment against Defendant, David R.  
Sharp, for the principal sum of \$814.00, plus interest at the  
rate of 12 percent from the date of this Judgment until paid.

81 MAY 23 1982

UNITED STATES DISTRICT JUDGE

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

NOV 28 1982

J. L. ...

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL ACTION NO. 82-C-315-E
	)	
DICKEY N. THOMPSON,	)	
	)	
Defendant.	)	

DEFAULT JUDGMENT

This matter comes on for consideration this 25 day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds, Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Dickey N. Thompson, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Dickey N. Thompson, was personally served with Summons and Complaint on March 19, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Dickey N. Thompson, for the principal sum of \$313.20, plus interest at the rate of 12 percent from the date of this Judgment until paid.

**JAMES O. ...**

UNITED STATES DISTRICT JUDGE



I. THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

F.L. MCKINLEY, JAMES W.  
SEAWRIGHT and MCKINLEY  
ARCHITECTS, INC., a corporation

Plaintiffs,

vs.

No. 81-C-68-E

LAWRENCE R. LEAL, OSCAR C.  
LINDEMANN AND RICHARD C.  
LINDEMANN, Individually and as  
General Partners of SOUTHERN  
EQUITIES GENERAL PARTNERSHIP  
III, a Texas General Partner-  
ship, and SOUTHERN EQUITIES  
CORPORATION, a corporation

Defendants.

**FILED**

MAY 28 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT-

STIPULATION OF

DISMISSAL WITH PREJUDICE

COME NOW F. L. McKinley, James W. Seawright and McKinley Architects, Inc., a corporation, Plaintiffs above named, by and through their attorneys of record, and hereby Dismiss the above entitled proceeding with prejudice to a future cause of action.

James R. Jessup  
James R. Jessup  
of Samuel C. Stone & Assoc. P.C.  
320 S. Boston, Bldg., Suite 2100  
Tulsa, Oklahoma 74103  
(918) 583-1178  
Attorney for Plaintiffs

APPROVED AS TO FORM AND SUBSTANCE:

F.L. McKinley  
F.L. McKinley

James W. Seawright  
James W. Seawright

ATTEST:

Doerner, Stuart, Saunders, Daniel and Andersson By: Michael K. Huggins  
ATTORNEYS FOR DEFENDANTS

MCKINLEY ARCHITECTS, INC.

Secretary  
Secretary

President  
President

CERTIFICATE OF SERVICE

I, James R. Jessup, do hereby certify that on this 28<sup>th</sup> day of May, 1982, I served a true and correct copy of the foregoing Dismissal with Prejudice upon Defendants above named by delivering the same to their counsel of record, Sam P. Daniels, Jr. and Kevin C. Contant, at their office located at 1200 Atlas Life Building, Tulsa, Oklahoma.

James R. Jessup  
James R. Jessup

IN THE DISTRICT COURT WITHIN AND FOR TULSA COUNTY  
STATE OF OKLAHOMA

DOLORES L. WITCHER,  
Plaintiff,

-vs-

BANKERS LIFE AND CASUALTY  
COMPANY, an Illinois  
corporation,  
Defendant.

No. 81-C-187-E

**FILED**

MAY 28 1982

ORDER OF DISMISSAL

JAMES O. ELLISON  
U. S. DISTRICT COURT

ON this 25<sup>th</sup> day of May, 1982, upon the written application of the parties for a Dismissal with Prejudice of the Complaint and all causes of action, the Court having examined said application, finds that said parties have entered into a compromise settlement covering all claims involved in the Complaint and have requested the Court to dismiss said Complaint with prejudice to any future action, and the Court being fully advised in the premises, finds that said Complaint should be dismissed pursuant to said application.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Complaint and all causes of action of the Plaintiff filed herein against the Defendant be and the same hereby is dismissed with prejudice to any future action.

**S/ JAMES O. ELLISON**

JUDGE, NORTHERN DISTRICT OF  
OKLAHOMA

FILED

MAY 28 1982

JAMES O. ELLISON, Clerk  
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

TERUKUNI KAIUN KAISHA, LTD., )

Plaintiff )

-vs- )

C. R. RITTENBERRY & ASSOCIATES, )  
INC., )

Defendant )

No. 78-C-368-E

ORDER OF DISMISSAL WITH PREJUDICE

The Court, having reviewed the Stipulation of Dismissal with prejudice filed by both parties hereto, hereby finds same to be in proper form and, accordingly,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that this action be dismissed with prejudice, both parties to bear their respective costs and attorneys' fees.

Dated this 28 day of May, 1982.

S/ JAMES O. ELLISON

JAMES O. ELLISON, United  
States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

BETTY J. McCASLIN,

Plaintiff,

vs.

RICHARD S. SCHWEIKER, JR.,  
Secretary of Health and Human  
Services,

Defendant.

81-C-339-BT

FILED

MAY 28 1982

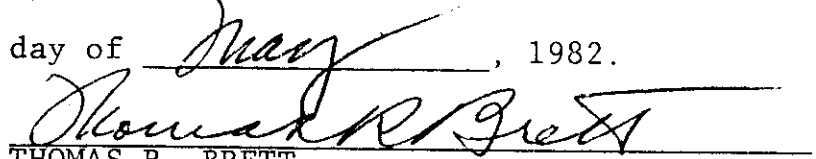
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

J U D G M E N T

This cause having been considered by the Court on the pleadings, the entire record certified to this Court by the defendant, Secretary of Health and Human Services ["Secretary"], and the briefs submitted by the parties, the Court is of the opinion as reflected by its Memorandum Opinion filed herein that the final decision of the Secretary is supported by substantial evidence as required by the Social Security Act, and should be affirmed.

IT IS, THEREFORE, ORDERED that the final decision of the Secretary be and hereby is affirmed.

ENTERED this 28 day of May, 1982.

  
THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 28 1982

U. S. DISTRICT: C. 37

UNITED STATES OF AMERICA,

Plaintiff,

VS.

TOMMY G. WALKER,

Defendant.

CIVIL ACTION NO. 81-C-647-E

## DEFAULT JUDGMENT

This matter comes on for consideration this 28 day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds, Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Tommy G. Walker, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Tommy G. Walker, was personally served with Alias Summons and Complaint on April 15, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Tommy G. Walker, for the principal sum of \$295.40, plus interest at the rate of 12 percent from the date of this Judgment until paid.

SL JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT WITHIN AND FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

ALISHA ANN LUMPKIN AND JAMES  
EDWARD LUMPKIN, minors, by and  
through their next friend and  
Guardian, JUNE BYERLY, NORMA  
JANE LUMPKIN and JUNE BYERLY,  
Personal Representative of the  
Estate of Gilbert R. Lumpkin,  
deceased,

Plaintiffs,

vs.

PREFERRED RISK LIFE INSURANCE  
COMPANY, a Colorado corporation,  
doing business in Oklahoma,

Defendant and Third  
Party Petitioner,

vs.

HERBERT IVAN YATES, d/b/a  
YATES INSURANCE AGENCY,

Third Party Defendant.

FILED

MAY 27 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

NO. 81 C 387 B

ORDER OF DISMISSAL WITH PREJUDICE

NOW on this 27<sup>th</sup> day of May, 1982, the Joint Application of the  
Parties for Approval of Settlement and Dismissals with Prejudice of the  
Petition, Amended Complaint, and all causes of the action of the plaintiffs  
and the Third Party Complaint of the defendant, Preferred Risk Life Insurance  
Company, the Court having examined said Joint Application, finds that said  
parties have entered into a compromised settlement whereby the defendants,  
Preferred Risk Life Insurance Company and Herbert Ivan Yates, d/b/a Yates  
Insurance Agency, will pay to the plaintiffs, collectively, the sum of \$25,000.00,  
covering all claims involved in the Petition, Amended Complaint; and whereas,  
the Court finds that said sum is reasonable and whereas the parties have

requested the Court to dismiss said Petition and Amended Complaint and Third Party Complaint with prejudice to any future action, the Court, being fully advised in the premises, finds that the Petition, Amended Complaint and Cross Complaint should be dismissed with prejudice pursuant to said Joint Application.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the settlement is reasonable and it is further ordered, adjudged and decreed by the Court that the Petition, Amended Complaint and Cross Complaint and all causes of action of the parties, and each of them, should be and the same are dismissed with prejudice as to any future action .

**S/ THOMAS R. BRETT**

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JUDGE THOMAS BRETT

APPROVALS AS TO FORM AND CONTENT:

  
\_\_\_\_\_  
Steve Oakley, Attorney for Plaintiffs

\_\_\_\_\_  
John B. Stuart, Attorney for Preferred  
Risk

  
\_\_\_\_\_  
Jesse Swift, Attorney for Yates

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 26 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

CIVIL ACTION NO. 82-C-488-C

STEPHEN CHAPUT,

Defendant.

AGREED JUDGMENT

This matter comes on for consideration this 26<sup>th</sup> day  
of May, 1982, the Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Don J. Guy, Assistant United States Attorney, and the  
Defendant, Stephen Chaput, appearing pro se.

The Court, being fully advised and having examined the  
file herein, finds that the Defendant, Stephen Chaput, was  
personally served with Summons and Complaint on April 23, 1982.  
The Defendant has not filed his Answer but in lieu thereof has  
agreed that he is indebted to the Plaintiff in the amount alleged  
in the Complaint and that Judgment may accordingly be entered  
against him in the amount of \$467.40, plus 12% interest from the  
date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that  
the Plaintiff have and recover Judgment against the Defendant,  
Stephen Chaput, in the amount of \$467.40, plus 12% interest from  
the date of this Judgment until paid.

W. S. Silver  
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

Don J. Guy  
DON J. GUY  
Assistant U.S. Attorney

Stephen Chaput  
STEPHEN CHAPUT



UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 26 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MELANIE G. COLE,

Defendant.

CIVIL ACTION NO. 82-C-472-C ✓

AGREED JUDGMENT

This matter comes on for consideration this 21<sup>st</sup> day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Don J. Guy, Assistant United States Attorney, and the Defendant, Melaine G. Cole, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Melaine G. Cole, was personally served with Summons and Complaint on April 26, 1982. The Defendant has not filed her Answer but in lieu thereof has agreed that she is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against her in the amount of \$352.90, plus 12% interest from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Melaine G. Cole, in the amount of \$352.90, plus 12% interest from the date of this Judgment until paid.

W. S. L. Brooks  
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

Don J. Guy  
DON J. GUY  
Assistant U.S. Attorney

Melaine G. Cole  
MELANIE G. COLE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

KAREN SUE SNOW,

Plaintiff,

vs.

S. S. KRESGE COMPANY, INC.,  
d/b/a K-MART DISCOUNT STORES,

Defendant.

81-C-474-BT ✓

**FILED**

MAY 26 1982 *rm*

JUDGMENT

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

Based on the Order filed this date, IT IS ORDERED Judgment is entered in favor of the defendant, S. S. Kresge Company, Inc., d/b/a K-Mart Discount Stores, and against the plaintiff, Karen Sue Snow, on the basis plaintiff's action is barred by the applicable two-year Statute of Limitations, 12 O.S. §95(Third).

ENTERED this 26<sup>th</sup> day of May, 1982.

  
THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

KAREN SUE SNOW,

Plaintiff,

vs.

S. S. KRESGE COMPANY, INC.,  
d/b/a K-MART DISCOUNT STORES,

Defendant.

81-C-474-BT ✓

**FILED**

MAY 26 1982 /rm

O R D E R

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

Plaintiff brings this action to recover for alleged personal injuries sustained as a result of a fall at the K-Mart Store No. 7041 in Bartlesville, Oklahoma on August 5, 1979. Defendant has moved for Summary Judgment pursuant to F.R.Civ.P. 56 on the ground the applicable two-year statute of limitation<sup>1/</sup> had run when plaintiff commenced her action on August 4, 1982.<sup>2/</sup>

The Court has reviewed the affidavits and exhibits submitted by the parties and being fully advised in the premises finds the Motion should be sustained for the following reasons.

Defendant's evidence in support of its Motion for Summary Judgment can be summarized as follows: Richard Watson, an employee of K-Mart, filled out an accident report concerning the incident which reflected the fall occurred on July 23, 1979 [Exhibit 3 to

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<sup>1/</sup> 12 O.S. §95 (Third).

<sup>2/</sup> It is defendant's contention plaintiff fell July 23, 1979.

defendant's brief]. Copies of his time cards indicate he worked on July 23, 1979, but did not work on August 5, 1979, the date plaintiff alleges she fell. [Exhibit 1 to defendant's brief]. Betty Williams, an employee of K-Mart, although not an eye-witness to the incident, states by affidavit:

"While employed in that store, I remember an incident involving a lady that stated she had slipped on some water in the grill area of the store. I passed the lady, who was accompanied by two children, who told me of the incident..."

Copies of Betty Williams' time cards [Exhibit 3 to defendant's brief] indicate she worked July 23, 1979, but did not work August 5, 1979, the date plaintiff alleges she fell. Copies of medical records of J. R. Smithson, M.D., indicate when he saw plaintiff on August 10, 1979, she told him she fell July 23 or 24, 1979 [Exhibits to Affidavit of Dr. Smithson filed April 28, 1982]. In addition defendant, by affidavit of April 28, 1982 of Iris Myers, assistant cashier of the Dewey Bank, Dewey, Oklahoma, has submitted a cancelled check written by plaintiff to defendant on July 23, 1979, in the amount of \$9.98, to establish plaintiff's presence in the K-Mart Store on July 23, 1979.

By deposition taken November 24, 1981, plaintiff testified she was able to remember the day she fell as being August 5, 1979, because she had a check she had written on that day [Dep. 19] as well as a check written on the next day, August 6, 1979, which was for a birthday gift she failed to purchase due to her fall on August 5, 1979 [Dep. 22]. Plaintiff further testified in her deposition she placed the day of her fall as August 5, 1979, by virtue of the fact she and her family returned from their

vacation on July 20 or 21st and August 5 would have been the first time she went to K-Mart after her vacation. [Dep. 77-78]. The medical report of J. L. Bryngelson, M.D., attached to his affidavit filed April 30, 1982, indicate when Dr. Bryngelson first saw plaintiff on December 7, 1979, she stated she fell during the first week in August, 1979..

Plaintiff has also submitted a form mailed to her by the defendant's insurance adjusting company, which shows the accident occurred on September 5, 1979. Defendant counters by stating the form was a result of a telephonic interview which took place on September 5, 1979 and the date of the interview was incorrectly substituted for the date of the accident.

A litigant may properly assert the defense of limitations through a Motion for Summary Judgment. Perkins v. United States, 76 F.R.D. 590 (WD Okl. 1976); 6 Moore's Federal Practice (Part 2) ¶56.17[58].

In proceedings under Rule 56(c), documents and exhibits identified by affidavit may be submitted to support a motion for summary judgment. Federal Deposit Ins. Co. v. Lauterback, 626 F.2d 1326, 1331 n. 8 (6th Cir. 1980); First Nat. Bank Co., Etc. v. Insurance Co., 606 F.2d 760, 766 (7th Cir. 1979).

In ruling on a motion for summary judgment, only evidence and statements that would be admissible at a trial and having probative force, may be considered. First Nat. Bank Co., Etc. v. Insurance Co., supra at 766.

The question before the Court is whether, in view of the affidavits, plaintiff's deposition, and the admissible exhibits, there is any "genuine issue" under Rule 56(c) as to when the accident occurred. The defendant has the burden of proving that there is no such issue.

F.R.Civ.P. 56 requires summary judgment pleadings and supporting documents be viewed in a light most favorable to the party opposing the motion. Exnicious v. United States, 563 F.2d 418, 423 (10th Cir. 1977); National Aviation Underwriters, Inc. v. Altus Flying Service, Inc., 555 F.2d 778, 784 (10th Cir. 1977). If inferences can be deduced from the facts upon which the opposing party might recover, summary judgment is inappropriate. Exnicious v. United States, *supra*, at 425; Mustang Fuel Corp. v. Youngstown Sheet & Tube Co., 516 F.2d 33, 36 (10th Cir. 1975).

In State of Ohio v. Peterson, Lowry, Rall, Etc., 585 F.2d 454, 457 (10th Cir. 1978) it was said:


"...In Dzents v. Merrill Lynch, Pierce, Fenner & Smith, Inc., 494 F.2d 168, 171 (10th Cir. 1974) we recognize that cases involving defenses hinging on applicable statutes of limitations on occasion do lend themselves to summary judgment. At the same time we also noted that a trial court should not grant summary judgment for a defendant if there is a 'viable issue of fact' as to when the limitations period began. Whether in the instant case there remains a viable issue of fact after there has been compliance with Rule 56 depends on the material which is presented to the trial court by the parties."

Based on the evidence before the Court there is no viable issue of fact as to when the plaintiff fell at the defendant store.

The medical reports of Dr. Smithson who saw plaintiff in close proximity to the date of the accident indicate she told him she fell either July 23 or 24, 1979. The accident report of Richard Watson indicating the accident as occurring on July 23, 1979, was filled out by him on July 23, 1979, and the time cards indicate he did not work on the date plaintiff now alleges she fell. Betty Williams, an employee of defendant, while not an eye-witness, states in her affidavit she recalls an incident where a woman told her she fell. Betty Williams' time cards indicate she worked on July 23, 1979, and not on the date plaintiff now alleges she fell. The cancelled check of July 23, 1979, indicates plaintiff was in the defendant store on July 23, 1979. The only evidence relied on by plaintiff is her own recollection of the date, the two cancelled checks of August 5, 1979 and August 6, 1979, and the statement she gave to Dr. Bryngelson in December of 1979 that she fell during the first week in August, 1979.

Viewing all of this evidence in a light most favorable to the plaintiff, the Court is of the opinion the defendant's Motion for Summary Judgment should be sustained.

IT IS SO ORDERED this <sup>7th</sup> ~~26~~ day of May, 1982.

  
THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

FILED

MAY 26 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOAN A. WILSON,

Defendant.

CIVIL ACTION NO. 82-C-487-E

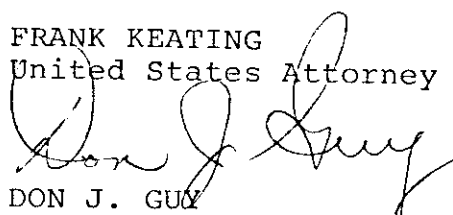
NOTICE OF DISMISSAL

COMES NOW the United States of America by  
Frank Keating, United States Attorney for the Northern District  
of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant  
United States Attorney, and hereby gives notice of its dismissal,  
pursuant to Rule 41, Federal Rules of Civil Procedure, of this  
action without prejudice.

Dated this 25th day of May, 1982.

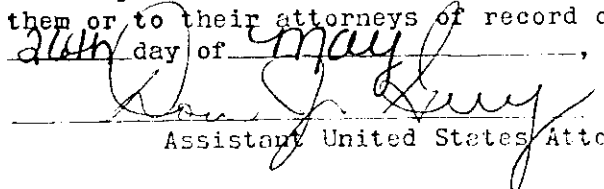
UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
DON J. GUY  
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy  
of the foregoing pleading was served on each  
of the parties hereto by mailing the same to  
them or to their attorneys of record on the  
24th day of May, 1982.

  
Assistant United States Attorney

02Bw



**FILED**

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

MAY 20 1964  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES FIDELITY &  
GUARANTY COMPANY, a foreign  
corporation,

Plaintiff,

-vs-

URANIUM EXPLORATION, INC.,  
et al,

Defendants.)

MAY 25 1982

WILLIAM L. SHULTZ, CLERK  
U. S. DISTRICT COURT

No. 81-C-164-B

ORDER OF DISMISSAL

On this 24 day of May, 1982, upon application of Plaintiff and it appearing that a settlement of the Third Party liability claim out of which this declaratory action arose, has occurred, the Court finds that this action is now moot and should therefore be dismissed.

IT IS THEREFORE ORDERED that the above styled and numbered cause of action is dismissed as moot.

S/ THOMAS R. BRETT

\_\_\_\_\_  
THOMAS R. BRETT  
U.S. District Judge

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

**E I L E D**

MAY 25 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT


FLOYD C. FIELDS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 80-C-387-E
	)	
VAN DORN CO., an Ohio	)	
corporation, et al.,	)	
	)	
Defendants.	)	

ORDER SUSTAINING FEDERAL MOGUL HOLDING CORPORATION'S  
MOTION FOR SUMMARY JUDGMENT AND ENTERING JUDGMENT IN  
FAVOR OF FEDERAL MOGUL AGAINST FLOYD C. FIELDS

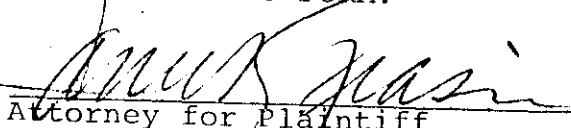
This matter comes on for hearing this 3rd day of May, 1982 upon the motion for summary judgment filed on behalf of Defendant, Federal Mogul Holding Corporation, against the Plaintiff, Floyd C. Fields, at which time the Plaintiff, Floyd C. Fields, appeared by his attorneys, James Frasier and Steve Hickman, the Defendant, Van Dorn Co., an Ohio corporation, appeared by its attorney, Joseph Sharp, the Defendant, Plastaline, Inc., appeared by its attorney, Bill Peters, and the Defendant, Federal Mogul Holding Corporation, appeared by its attorney, Philip McGowan. The Court, after having reviewed Federal Mogul Holding Corporation's motion for summary judgment, an affidavit in support thereof and the record in this case, and being advised by Plaintiff's counsel that Plaintiff had no additional evidence to offer in response to said motion, finds that there is no genuine issue of material

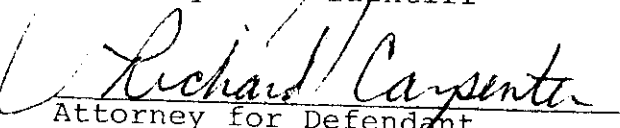
fact existing between the Plaintiff and the Defendant, Federal Mogul, and that the motion for judgment should be sustained. The Court further finds that Federal Mogul is entitled to judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure.

BE IT THEREFORE ORDERED, ADJUDGED AND DECREED that the motion for summary judgment by Federal Mogul Holding Corporation be and is hereby sustained and that judgment be and the same is hereby entered on behalf of Federal Mogul Holding Corporation against the Plaintiff, Floyd C. Fields, and that the Defendant, Federal Mogul Holding Corporation is hereby dismissed from this action.

  
JUDGE OF THE DISTRICT COURT

APPROVED AS TO FORM:

  
Attorney for Plaintiff

  
Attorney for Defendant  
Federal Mogul Holding Corporation

FILED

MAY 25 1982

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

ROBERT L. JAMES, Plaintiff,

v.

JONES TRUCK LINES, Defendant.

No. 80-C-471-E ✓

ORDER OF DISMISSAL

NOW, on this 24<sup>th</sup> day of May, 1982, the  
above styled and numbered cause of action coming on for  
hearing before the undersigned Judge, upon the Stipulation  
for Dismissal of the Plaintiff and Defendant herein; and the  
Court having examined the pleadings and said Stipulation for  
Dismissal and being well and fully advised in the premises,  
finds that said cause should be dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the  
Court that the above styled and numbered cause be and the  
same is hereby dismissed with prejudice.

James O. Dennis  
UNITED STATES DISTRICT JUDGE

APPROVED:

[Signature]  
Attorney for Plaintiff

[Signature]  
Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

IN RE

CLEO HENRY ROTTLUFF and  
DONNA MAE ROTTLUFF,

Debtors,

RALPH GRABEL,

Plaintiff,

vs.

BPM, LTD., an Oklahoma corporation,  
Defendant.

81-C-580-BT ✓

**FILED**

OCT 25 1982 ✓

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

O R D E R

The Court has for consideration the Motion to Dismiss Appeal filed by the Appellee, Ralph Grabel, and being fully advised in the premises, finds the Motion should be sustained for the following reasons.

Bankruptcy Rule 802(a) provides:

"The notice of appeal shall be filed with the referee within 10 days of the date of the entry of the judgment or order appealed from."

In the instant case the Judgment appealed from was entered October 1, 1981. The Notice of Appeal was filed October 22, 1981. The late filing of an appeal has been held to constitute a jurisdictional defect which deprives the appellate court of the power to review the order. In Re B.D. Intern. Discount Corp., 13

WBR 635 (U.S.Bk.Ct., Puerto Rico, 1981); Matter of Lee Industries, Inc., 402 F.Supp. 409 (S.D.N.Y. 1975); Re Branding Iron Steak House, 536 F.2d 299 (9th Cir. 1976).

"The 10-day rule is mandatory, and the District Court did not have discretion to entertain the appeal if, indeed, the appeal was untimely."

Id. at 300; In re Benefiel, 500 F.2d 1219 (9th Cir. 1974).

Furthermore, appellant has failed to respond to the Motion to Dismiss, filed on November 20, 1981, within ten days as provided in Rule 14(a), Rules of the United States District Court for the Northern District of Oklahoma. Such a failure to respond constitutes a waiver of objections to the motion.

IT IS, THEREFORE, ORDERED the appellee's Motion to Dismiss the appeal herein, with costs to appellee, is sustained.

ENTERED this 25 day of May, 1982.



THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

FILED

MAY 25 1982

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

U.S. DISTRICT COURT

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL ACTION NO. 82-C-389-B
	)	
WILLIAM L. TURKOVICH,	)	
	)	
Defendant.	)	

DEFAULT JUDGMENT

This matter comes on for consideration this 24 day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, William L. Turkovich, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, William L. Turkovich, was personally served with Summons and Complaint on April 6, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, William L. Turkovich, for the principal sum of \$676.73, plus interest at the rate of 12 percent from the date of this Judgment until paid.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE



78  
**FILED**

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 25 1982

RANDOLPH SCOTT,

Plaintiff,

vs.

AMERICAN MOTORS CORPORATION  
and JEEP CORPORATION,

Defendants.

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

No. 80-C-196-B

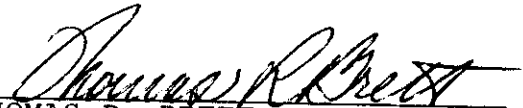
ORDER OF DISMISSAL WITH PREJUDICE

The Court being fully advised in the premises and upon consideration of the parties' Joint Application for Dismissal with Prejudice, finds that the amount of \$20,788.99 is owed to the Oklahoma Department of Human Services for medical services rendered to Randolph Scott; further that due to the circumstances of the case, the needs of said Randolph Scott, the pain and suffering involved and the amount of funds available to satisfy said lien, finds that the sum of \$10,000.00 be paid to the Oklahoma Department of Human Services, and said payment to extinguish all claims of said Oklahoma Department of Human Services, either by subrogation or lien for reimbursement from the defendants herein and holds them harmless therefrom, and that such order should issue.

BE IT THEREFORE ORDERED, ADJUDGED AND DECREED that the sum of \$10,000.00 be paid to the Oklahoma Department of Human Services and said payment to extinguish all claims of said Oklahoma Department of Human Services either by subrogation or lien for reimbursement from the defendants herein, and holds them harmless therefrom.

BE IT THEREFORE ORDERED, ADJUDGED AND DECREED that plaintiff's cause be, and the same is hereby dismissed with prejudice; each of the parties to bear their respective costs.

DONE AND DATED this 25<sup>th</sup> day of May, 1982.

  
THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

INTERNATIONAL BUSINESS  
AIRCRAFT, INC., an Oklahoma  
corporation,

vs. Plaintiff,

BREMEN AVIATION, INC., an  
Ohio corporation; MICHAEL F.  
RILEY, an individual; JACK  
HOWELL, an individual; and  
DAVID GRADOLPH, an  
individual,

Defendants.

No. 80-C-204-B

**FILED**

MAY 25 1982


John C. Oliver, Clerk  
J. S. DISTRICT COURT

ORDER OF DISMISSAL WITH PREJUDICE

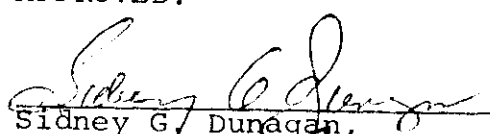
There comes on for consideration the Application of the parties hereto for an order dismissing the above-captioned, the Complaint, counterclaim and each and every claim for relief set forth therein, with prejudice, and the Court being fully advised and having considered the stipulation of the parties advising the Court of their settlement and compromise FINDS and IT IS ORDERED

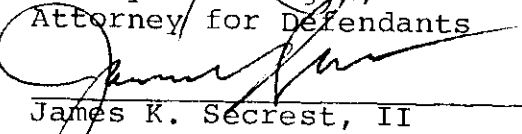
That plaintiff's Complaint and the counterclaim of the defendant Bremen Aviation, Inc., and each and every cause of action and claim for relief set forth therein and the above-captioned action should be and are hereby dismissed with prejudice; and that each party hereto shall bear its own costs and attorneys' fees.

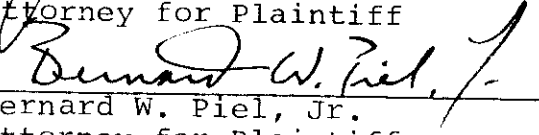
DATED this 23<sup>rd</sup> day of May, 1982.

  
THOMAS R. BRETT, Judge  
United States District Court  
Northern District of Oklahoma

APPROVED:

  
Sidney G. Dunagan,  
Attorney for Defendants

  
James K. Secrest, II  
Attorney for Plaintiff

  
Bernard W. Piel, Jr.  
Attorney for Plaintiff

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

MAY 25 1982

JOHN L. SMITH, CLERK  
U. S. DISTRICT COURT

NORMA LEE MURPHY,  
Plaintiff,

vs.

EX-CELLO MATERIALS HANDLING  
COMPANY, a Minnesota  
corporation,  
Defendant.

NO. 81-C-488-B

ORDER OF DISMISSAL

ON This 24 day of may, 1982, upon the written application of the parties for A Dismissal with Prejudice of the Complaint and all causes of action, the Court having examined said application, finds that said parties have entered into a compromise settlement covering all claims involved in the Complaint and have requested the Court to dismiss said Complaint with prejudice to any future action, and the Court being fully advised in the premises, finds that said Complaint should be dismissed pursuant to said application.

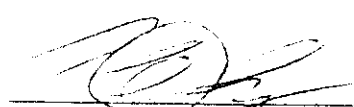
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Complaint and all causes of action of the plaintiff filed herein against the defendant be and the same hereby is dismissed with prejudice to any future action.

S/ THOMAS R. BRETT

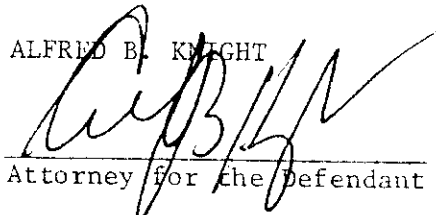
JUDGE, DISTRICT COURT OF THE UNITED  
STATES, NORTHERN DISTRICT OF OKLAHOMA

APPROVAL:

PHIL FRAZIER

  
Attorney for the Plaintiff

ALFRED B. KNIGHT

  
Attorney for the Defendant

FILED

MAY 24 1982

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

CLERK OF COURT  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LOREN E. BELL,

Defendant.

CIVIL ACTION NO. 82-C-306-B

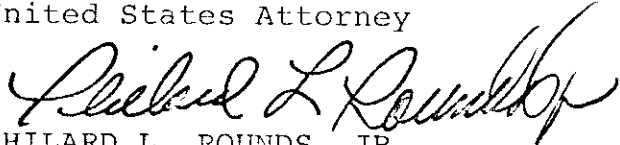
NOTICE OF DISMISSAL

COMES NOW the United States of America by  
Frank Keating, United States Attorney for the Northern District  
of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr.,  
Assistant United States Attorney, and hereby gives notice of its  
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,  
of this action without prejudice.

Dated this 24th day of May, 1982.

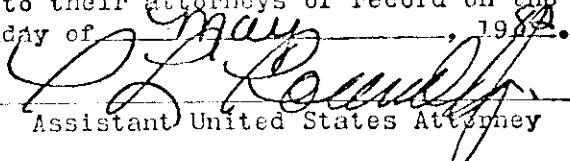
UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
PHILARD L. ROUNDS, JR.  
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy  
of the foregoing pleading was served on each  
of the parties hereto by mailing the same to  
them or to their attorneys of record on the  
24th day of May, 1982.

  
Assistant United States Attorney

FILED

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 24 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PATRICK K. HAMILTON,

Defendant.

CIVIL ACTION NO. 82-C-470-E

AGREED JUDGMENT

This matter comes on for consideration this 24<sup>th</sup> day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Don J. Guy, Assistant United States Attorney, and the Defendant, Patrick K. Hamilton, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Patrick K. Hamilton, was personally served with Summons and Complaint on April 27, 1982. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of \$641.33, plus 12% interest from the date of this Judgment until paid.

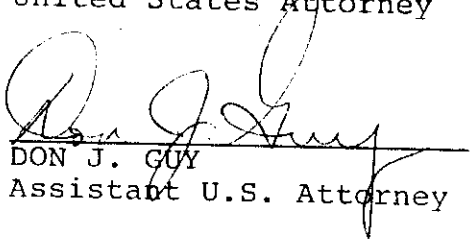
IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Patrick K. Hamilton, in the amount of \$641.33, plus 12% interest from the date of this Judgment until paid.

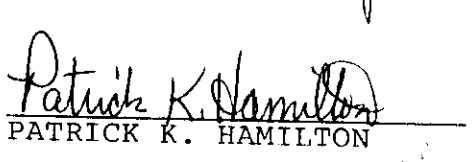
  
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
DON J. GUY  
Assistant U.S. Attorney

  
PATRICK K. HAMILTON

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEVEN R. RAGSDALE,

Defendant.

CIVIL ACTION NO. 82-C-298-E

**FILED**

NOTICE OF DISMISSAL

MAY 24 1982

Jack C. Silver, Clerk  
U S DISTRICT COURT

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 24th day of May, 1982.

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

*Nancy A. Nesbitt*

NANCY A. NESBITT  
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 24th day of May, 1982.

*Nancy A. Nesbitt*  
Assistant United States Attorney

MAY 24 1982

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

JACK C. SILVER, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL ACTION NO. 81-C-822-E
	)	
LARRY PENN,	)	
	)	
Defendant.	)	

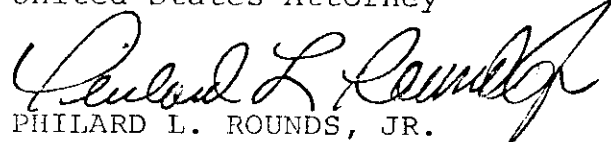
NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr., Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 24th day of May, 1982.

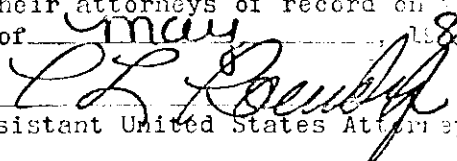
UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
PHILARD L. ROUNDS, JR.  
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 24th day of May, 1982.

  
Assistant United States Attorney

FILED

MAY 24 1982

Jack C. Silver, Clerk

IN THE UNITED STATES DISTRICT COURT FOR THE U. S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. ) CIVIL ACTION NO. 81-C-458-E  
 )  
STEVEN R. BULLINGER, )  
 )  
Defendant. )

NOTICE OF DISMISSAL

COMES NOW the United States of America by  
Frank Keating, United States Attorney for the Northern District  
of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr.,  
Assistant United States Attorney, and hereby gives notice of its  
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,  
of this action without prejudice.

Dated this 24th day of May, 1982.

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

*Philard L. Rounds*  
PHILARD L. ROUNDS, JR.  
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy  
of the foregoing pleading was served on each  
of the parties hereto by mailing the same to  
them or to their attorneys of record on the

*John* day of *May*, 1982.  
*Philard L. Rounds*  
Assistant United States Attorney



FILED

MAY 24 1982

Jack C. Oliver, Clerk  
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL ACTION NO. 82-C-263-C
	)	
GARY L. MITCHELL,	)	
	)	
Defendant.	)	

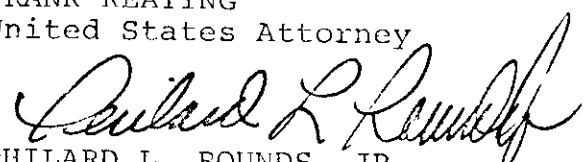
NOTICE OF DISMISSAL

COMES NOW the United States of America by  
Frank Keating, United States Attorney for the Northern District  
of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr.,  
Assistant United States Attorney, and hereby gives notice of its  
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,  
of this action without prejudice.

Dated this 24th day of May, 1982.

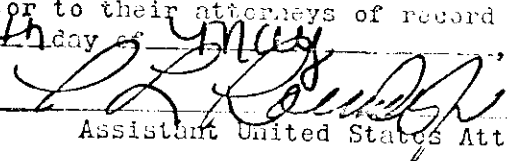
UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
PHILARD L. ROUNDS, JR.  
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy  
of the foregoing pleading was served on each  
of the parties hereto by mailing the same to  
them or to their attorneys of record on the  
24th day of May, 1982.

  
Assistant United States Attorney

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE MAY 21 1982  
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

SAFEWAY STORES, INCORPORATED,  
a corporation,

Plaintiff,

vs.

BROKEN ARROW PLAZA, INC.,  
a corporation,

Defendant.

81-C-63-E

ORDER OF DISMISSAL

Upon the parties' Joint Stipulation for Dismissal  
filed herein on May 14, 1982,

IT IS HEREBY ORDERED that all claims of each  
party hereto, including those presented by the complaint  
and the counterclaim herein, are dismissed with prejudice  
with each side to bear its own costs and attorneys' fees.

DATED this 21 day of May, 1982.

S/ JAMES O. ELLISON

\_\_\_\_\_  
Judge of the United States District Court

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 21 1982

JACK L. DAVIS, CLERK  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
ANTHONY E. DIXON, )  
 )  
Defendant. )

CIVIL ACTION NO. 82-C-361-E

DEFAULT JUDGMENT

This matter comes on for consideration this 21<sup>st</sup> day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Anthony E. Dixon, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Anthony E. Dixon, was personally served with Summons and Complaint on April 5, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Anthony E. Dixon, for the principal sum of \$967.60, plus interest at the rate of 12 percent from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

FILED

IN THE UNITED STATES DISTRICT COURT FOR MAY 21 1982  
NORTHERN DISTRICT OF OKLAHOMA

JACK L. SHULT, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WOODROW W. BURCHETT,

Defendant.

CIVIL ACTION NO. 82-C-308-E

DEFAULT JUDGMENT

This matter comes on for consideration this 21<sup>st</sup> day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds, Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Woodrow W. Burchett, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Woodrow W. Burchett, was personally served with Summons and Complaint on April 20, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Woodrow W. Burchett, for the principal sum of \$490.20, plus interest at the rate of 12 percent from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MUSTAFA SULEIMAN TARA'ANI,

Plaintiff,

vs.

DEGEN PIPE & SUPPLY COMPANY,  
a corporation,

Defendant.

No. 79-C-124-C

FILED

MAY 21 1982

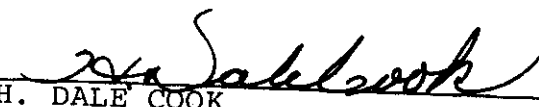
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

AMENDED JUDGMENT

This action came on for trial before the Court and the issues having been duly tried and a decision having been duly rendered,

It is Ordered and Adjudged that the plaintiff Mustafa Suleiman Tara'ani recover of the defendant Degen Pipe and Supply Company the sum of \$52,000.00 with interest at the statutory rate from January 25, 1982 (the date of the original judgment) as provided by OKLA.STAT.ANN. tit.12, §727, the sum of \$28,466.42 for plaintiff's reasonable attorney fees to be taxed as costs as provided by OKLA.STAT.ANN. tit.12, §936, the sum of \$733.08 for costs previously taxed herein by the Court Clerk of the Northern Judicial District, plus the sum of \$11,341.08 for prejudgment interest as provided by OKLA.STAT.ANN. tit. 23, §6, this last sum to bear interest at the statutory rate as provided by OKLA.STAT.ANN. tit. 12, §727 from the date of the filing of this Amended Judgment.

It is so Ordered this 21st day of May, 1982.

  
H. DALE COOK  
Chief Judge, U. S. District Court

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

JACK J. SHAW, CLERK  
U. S. DISTRICT COURT

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CIVIL ACTION NO. 82-C-273-E

),

;

This matter comes on for consideration this 21<sup>st</sup> day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Jimmy Terrapin, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Jimmy Terrapin, was personally served with Summons and Complaint on March 11, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Jimmy Terrapin, for the principal sum of \$592.40, plus interest at the rate of 12 percent from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED  
MAY 21 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

WILLIAM PRESTON DOUGLAS  
and THELMA LUELLA DOUGLAS

Plaintiffs,

vs.

SAFECO INSURANCE COMPANY OF  
AMERICA, a corporation,


Defendant.

No. 79-C-655-E

JUDGMENT

IT IS ORDERED, ADJUDGED AND DECREED that judgment is entered herein in the defendant's favor dismissing this action and the Amended Complaint of the plaintiffs with costs to be taxed by the Clerk in favor of the defendant and against the plaintiffs as provided by law.

Entered this 21<sup>st</sup> day of May, 1982.

  
UNITED STATES DISTRICT JUDGE

**FILED**

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 21 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL ACTION NO. 82-C-429-C
	)	
RICHARD H. CHAPMAN,	)	
	)	
Defendant.	)	

DEFAULT JUDGMENT

This matter comes on for consideration this 21<sup>st</sup> day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Richard H. Chapman, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Richard H. Chapman, was personally served with Summons and Complaint on April 22, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Richard H. Chapman, for the principal sum of \$377.23, plus interest at the rate of 12 percent from the date of this Judgment until paid.

(Signed) H. Dale Cook

UNITED STATES DISTRICT JUDGE



FILED

MAY 20 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

ROBERT EARL JACKSON,  
Petitioner,

vs.

L. T. BROWN, Warden,  
Respondent.


81-C-300-BT

ORDER

Pursuant to the Mandate and Opinion of the Tenth  
Circuit Court of Appeals in Robert Earl Jackson v. L. T. Brown,  
Warden, No. 82-1015 [4/23/82] [unpublished opinion] and the  
"total exhaustion" rule announced by the Supreme Court of the  
United States in Rose v. Lundy, \_\_\_ U.S. \_\_\_, 50 U.S.L.W. 4272  
(March 3, 1982), the petition for writ of habeas corpus pursuant  
to 28 U.S.C. § 2254 is dismissed.

IT IS SO ORDERED.

ENTERED this 20<sup>th</sup> day of May, 1982.

  
THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

STACIE MORGAN, a minor, who  
brings this action by and  
through her father and next  
friend, GILBERT MORGAN, and  
GILBERT MORGAN, individually,

Plaintiffs,

vs.

INTERNATIONAL RODEO ASSOCIATION,  
a corporation, THE MIAMI JAYCEES,  
a corporation, THE CITY OF MIAMI,  
OKLAHOMA, a municipal corporation,  
JODI LEWIS, a minor, TIMMY  
ENGLAND, a minor, MR. J. N. LEWIS,  
MRS. J. N. LEWIS, MRS. JAMES L.  
(SHIRLEY) SMITH, JAMES L. SMITH,  
DARWIN LEWIS and SHIRLEY LEWIS,

Defendants.

NO. 80-C-305-E

**FILED**  
**MAY 20 1982**  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

ORDER OF DISMISSAL

Now on this 19<sup>th</sup> day of May, 1982, the  
above case comes on for consideration. The Court has before it the  
stipulations of the parties in this case. Upon reviewing the court file  
and being fully advised in all premises, the Court finds that the parties  
have agreed to settle the case for the total sum of \$11,500.00. The  
Court further finds that of that sum, the amount of \$1,000.00  
shall be payable to the parents for all expenses incurred, including  
medical expenses, attorney fees, etc.; and that the sum of \$10,500.00  
shall be paid to Bruce McLaughlin, conservator of Stacie Morgan, for the  
use and benefit of Stacie Morgan. The Court further finds that the above  
described settlement is reasonable and is in the best interest of all  
parties, including the minor child. The Court further finds that the

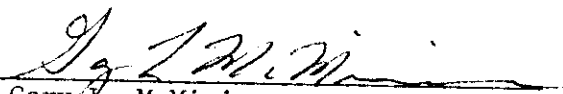
settlement money has already been paid to the Plaintiffs and conservator, as is evidenced by their signatures to the stipulations. The Court further finds that the cause should therefore be dismissed with prejudice.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that this cause is dismissed with prejudice to the refiling of any action.

S/ JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

APPROVALS:

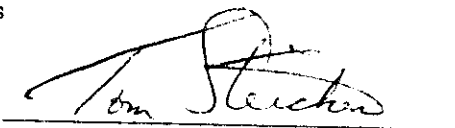
WUNCHEL LAW FIRM  
Attorneys for the Plaintiffs

  
Gary L. McMinimee

WILLIAMS & CLARK  
Attorneys for the Defendants The City  
of Miami, Oklahoma and The Miami Jaycees

By:   
Robert Williams

McGIVERN, SCOTT, STEICHEN & GILLIARD  
Attorneys for the Defendants Mr. J. N.  
Lewis, Mrs. J. N. Lewis and Shirley  
Lewis

By:   
Thomas E. Steichen

PRAY, WALKER, JACKMAN, WILLIAMSON & MARLAR  
Attorneys for the Defendants Timmy England,  
Mrs. James L. (Shirley) Smith and James L.  
Smith

By:   
William Lunn

DYER, POWERS, MARSH, TURNER & ARMSTRONG  
Attorneys for the Defendant International  
Rodeo Association

By: 

Tom L. Armstrong

KNIGHT, WAGNER, STUART, WILKERSON & LIEBER  
Attorneys for the Defendant Jodi Lewis

By: 

John Howard Lieber

FILED

MAY 20 1982 *jc*

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

*Jack C. Silver, Clerk*  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
WARREN D. MILLER, )  
 )  
Defendant. )

CIVIL ACTION NO. 81-C-610-C ✓

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 20th day of May, 1982.

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

*Nancy A. Nesbitt*

NANCY A NESBITT  
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 20th day of May, 1982.

*Nancy A. Nesbitt*  
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

**FILED**

MAY 19 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

RICHARD MacDOUGALL, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
AMERICAN AIRLINES INC., a )  
Delaware Corporation, and )  
AMERICAN AIRLINES EMPLOYEES )  
CREDIT UNION, a New York )  
Corporation, )  
 )  
Defendants. )

No. 82-C-116-E

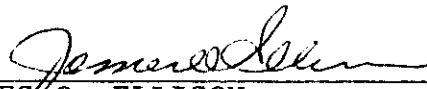
ORDER DISMISSING ACTION

The Court has before it the Motion to Dismiss filed by the Defendant American Airlines, Inc. on February 5, 1982, and its brief in support thereof.

The Court notes that the Plaintiff, under Rule 14(a), Rules of the United States District Court for the Northern District of Oklahoma, had until February 15, 1982 in which to file a timely response to the Defendant's motion. No response was filed within that time period, nor has any response or other pleading been filed by Plaintiff to date. In view of Plaintiff's failure to respond to Defendant's motion under Rule 14(a), Plaintiff is considered to have joined in the motion for dismissal.

IT IS THEREFORE THE ORDER OF THIS COURT, that Defendant's Motion to Dismiss is granted, without prejudice as to refiling.

Dated this 19<sup>th</sup> day of May, 1982.

  
\_\_\_\_\_  
JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )

Plaintiff, )

vs. )

CIVIL ACTION NO. 81-C-860-E

ADAM A. BALLANCE, CHRISTINE  
BALLANCE, COUNTY TREASURER,  
Craig County, Oklahoma, and  
BOARD OF COUNTY COMMISSIONERS,  
Craig County, Oklahoma )

Defendants. )

**FILED**

MAY 19 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 19<sup>th</sup> day  
of May, 1982. The Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Don J. Guy, Assistant United States Attorney; the  
Defendants, County Treasurer, Craig County, Oklahoma, and Board  
of County Commissioners, Craig County, Oklahoma, appearing by  
their attorney, Terry H. McBride, Assistant District Attorney;  
and, the Defendants, Adam A. Ballance and Christine Ballance,  
appearing not.

The Court being fully advised and having examined the  
file herein finds that Defendants, Adam A. Ballance and Christine  
Ballance, were served with Summons and Complaint on January 6,  
1982; and that Defendants, County Treasurer, Craig County,  
Oklahoma, and Board of County Commissioners, Craig County,  
Oklahoma, were served with Summons and Complaint on December 8,  
1981; all as appears on the United States Marshal's Service  
herein.

It appears that the Defendants, County Treasurer, Craig  
County, Oklahoma, and Board of County Commissioners, Craig  
County, Oklahoma, have duly filed their Answer herein on  
December 14, 1981; and, that Defendants, Adam A. Ballance and  
Christine Ballance, have failed to answer and that default has  
been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon two mortgage notes and for a foreclosure of two real property mortgages securing said mortgage notes upon the following described real property located in Craig County, Oklahoma, within the Northern Judicial District of Oklahoma:

The Northerly 52 feet of Lot 13, and the Southerly 4 feet of Lot 14, in Block 105, in the City of Vinita, Oklahoma, according to the United States Government Survey and approved plat thereof.

THAT Roy D. Baldridge and Anita C. Baldridge did, on the 15th day of September, 1976, execute and deliver to the United States of America acting through the Farmers Home Administration their mortgage and mortgage note in the sum of \$17,500.00 with 8 1/2 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

That the Defendants, Adam A. Ballance and Christine Ballance, did on the 27th day of February, 1980, execute and deliver to the United States of America an Assumption Agreement in which they did agree to assume the obligations of the mortgage note and mortgage described above and to pay the unpaid balance of the note in the principal amount of \$17,006.28, plus accrued interest in the amount of \$99.00.

That the Defendants, Adam A. Ballance and Christine Ballance, did on the 27th day of February, 1980, execute and deliver to the United States of America their mortgage and mortgage note in the sum of \$6,810.00 with 10 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

The Court further finds that Defendants, Adam A. Ballance and Christine Ballance, made default under the terms of the aforesaid mortgage notes, mortgages, and Assumption Agreement by reason of their failure to make monthly installments due thereon, which default has continued and that by reason thereof the above-named Defendants are now indebted to the Plaintiff in



the principal sum of \$24,020.95, plus accrued interest of \$2,278.00 as of April 9, 1981, plus interest thereafter at the rate of \$5.8823 per day, until paid, plus the cost of this action accrued and accruing.

The Court further finds that there is due and owing to the County of Craig, State of Oklahoma, from Defendants, Adam A. Ballance and Christine Ballance, the sum of \$134.77 plus interest according to law for real estate taxes for the year 1981 and that Craig County should have judgment for said amount, but that such judgment is superior to the first mortgage lien of the Plaintiff herein.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against Defendants, Adam A. Ballance and Christine Ballance, for the principal sum of \$24,020.95, plus accrued interest of \$2,278.00 as of April 9, 1981, plus interest thereafter at the rate of \$5.8823 per day, until paid, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the County of Craig have and recover judgment against Defendants, Adam A. Ballance and Christine Ballance, for the sum of \$134.77 as of the date of this judgment plus interest thereafter according to law for real estate taxes, and that such judgment is superior to the first mortgage lien of the Plaintiff herein.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of said Defendants to satisfy Plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds in satisfaction of Plaintiff's judgment. The

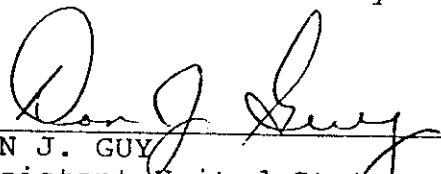
residue, if any, shall be deposited with the Clerk of the Court to await further order of the Court.

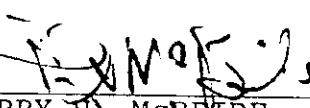
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the Defendants and all persons claiming under them since the filing of the Complaint herein are forever barred and foreclosed of any right, title, interest or claim to the real property or any part thereof.

~~ST. JAMES O. HARRIS~~  
~~S/ JAMES O. HARRIS~~  
UNITED STATES DISTRICT JUDGE

APPROVED:

FRANK KEATING  
United States Attorney

  
\_\_\_\_\_  
DON J. GUY  
Assistant United States Attorney

  
\_\_\_\_\_  
TERRY H. McBRIDE  
Assistant District Attorney  
Attorney for Defendants,  
County Treasurer and  
Board of County Commissioners,  
Tulsa County

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 19 1982

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHIRLEY A. MEDLOCK,

Defendant.

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-443-B

AGREED JUDGMENT

This matter comes on for consideration this 19 day  
of May, 1982, the Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Philard L. Rounds, Jr., Assistant United States Attorney,  
and the Defendant, Shirley A. Medlock, appearing pro se.

The Court, being fully advised and having examined the  
file herein, finds that the Defendant, Shirley A. Medlock, was  
personally served with Summons and Complaint on April 14, 1982.  
The Defendant has not filed her Answer but in lieu thereof has  
agreed that she is indebted to the Plaintiff in the amount  
alleged in the Complaint and that Judgment may accordingly be  
entered against her in the amount of \$598.20, plus 12 percent  
interest from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that  
the Plaintiff have and recover Judgment against the Defendant,  
Shirley A. Medlock, in the amount of \$598.20, plus 12 percent  
interest from the date of this Judgment until paid.

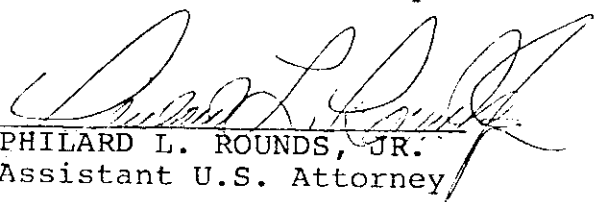
S/ THOMAS R. BRETT

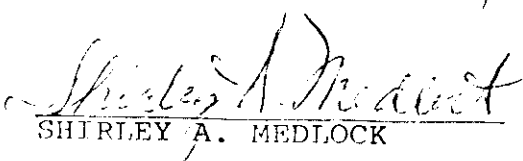
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
PHILARD L. ROUNDS, JR.  
Assistant U.S. Attorney

  
SHIRLEY A. MEDLOCK

FILED

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 19 1982

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

THOMAS L. CARPENTER

Defendant.

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

CIVIL ACTION NO. 81-C-710-B

AGREED JUDGMENT

This matter comes on for consideration this 19 day  
of May, 1982, the Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Don J. Guy, Assistant United States Attorney, and the  
Defendant, Thomas L. Carpenter, appearing pro se.

The Court, being fully advised and having examined the  
file herein, finds that the Defendant, Thomas L. Carpenter, was  
personally served with Summons and Complaint on March 9, 1982.  
The Defendant has not filed his Answer but in lieu thereof has  
agreed that he is indebted to the Plaintiff in the amount alleged  
in the Complaint and that Judgment may accordingly be entered  
against him in the amount of \$852.33, plus 12% interest from the  
date of this Judgment until paid.

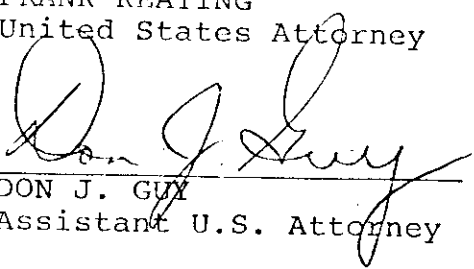
IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that  
the Plaintiff have and recover Judgment against the Defendant,  
Thomas L. Carpenter, in the amount of \$852.33, plus 12% interest  
from the date of this Judgment until paid.


UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
DON J. GUY  
Assistant U.S. Attorney

  
THOMAS L. CARPENTER

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 18 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

DANNY E. WISE, )  
 )  
Plaintiff, )  
 ) No. 81 C-498-E  
vs. )  
 )  
BURLINGTON NORTHERN, INC., )  
Successor by merger to the )  
St. Louis-San Francisco )  
Railway Company, )  
 )  
Defendant. )

STIPULATION FOR DISMISSAL WITH PREJUDICE

The parties hereto advise the Court that they have agreed to fully settle this case and thereby stipulate that plaintiff's cause of action be dismissed with prejudice, each party to bear its own costs.



ROBERT A. TRAMUTO  
5959 West Loop So., Suite 666  
P.O. Box 4340  
Houston, Texas 77210

Attorney for Plaintiff

FILED

MAY 19 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT



GREY W. SATTERFIELD  
1606 Park/Harvey Center  
Oklahoma City, Okla. 73102

Attorney for Defendant

ORDER

Upon stipulation of the parties and for good cause shown, plaintiff's cause of action against the defendant is hereby dismissed with prejudice to the refiling of such action.

IT IS SO ORDERED this 19 day of May, 1982.

S/ JAMES O. ELLISON

United States District Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

**FILED**

MAY 18 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

CONSUELO MERAZ, as heir of )  
PAUL MERAZ (husband), )  
deceased, )  
 )  
Plaintiff, )  
 )  
-vs- )  
 )  
JAMES D. FARNUM, )  
 )  
Defendant. )

C-80-731-E

ORDER OF DISMISSAL

The above matter was started to a jury on March 15, 1982, and on the morning of March 18, 1982, the Plaintiff's attorney requested that the matter be dismissed with prejudice. The Court, after hearing testimony from the Plaintiff herself expressing her desire to dismiss with prejudice, hereby dismisses the above and foregoing cause of action with prejudice to any future action.

S/ JAMES O. ELLISON  
\_\_\_\_\_  
JUDGE OF THE DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

**FILED**

MAY 18 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

MANESS TYPE CO., INC., an Oklahoma )  
Corporation, )

Plaintiff, )

vs. )

MONOTYPE CORPORATION, LTD., )  
A Foreign Corporation, )

Defendant. )

No. 80-C-512-E

ORDER FOR DISMISSAL WITHOUT PREJUDICE

Upon application of the defendant and counterclaimant,  
Monotype Corporation, Ltd., for a dismissal without prejudice of  
Count II of defendant's Counterclaim,

NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED  
that Count II of defendant's Counterclaim be and the same is  
hereby dismissed, without prejudice.

It is so ordered this 18<sup>th</sup> day of May, 1982

S/ JAMES O. ELLISON

James O. Ellison  
United States District Judge

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 18 1982 *if*

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

RAYMOND J. DONOVAN, Secretary of  
Labor, United States Department  
of Labor,

Plaintiff,

v.

LOGAN WRIGHT, an Individual,  
and LOGAN WRIGHT FOUNDATION,  
a Corporation.

Defendants.

Civil Action


No. 81-C-542-B ✓

ORDER OF DISMISSAL

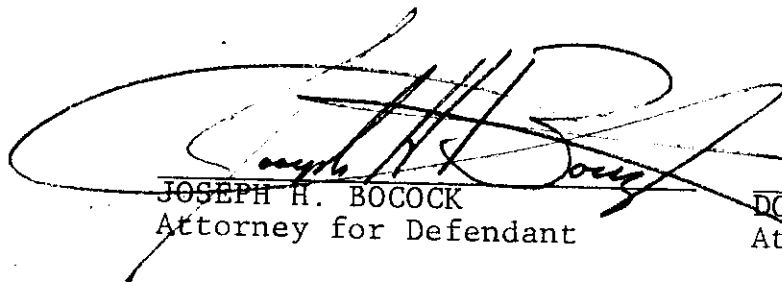
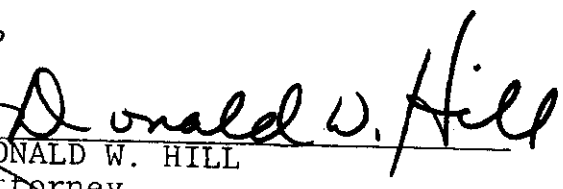
The plaintiff and the defendant in the above entitled and numbered cause, by their attorneys of record, hereby agree that the action shall be, and is dismissed with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1).

Each party hereby agrees to bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.

Dated this 18<sup>th</sup> day of May, 1982.

  
THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

Entry of the foregoing Order of Dismissal is consented and agreed to:

   
JOSEPH H. BOCOCK      DONALD W. HILL  
Attorney for Defendant      Attorney



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 18 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

IN RE:

LEON'S COAL COMPANY,  
a Partnership,

Debtor,

RUSSELL CREEK COAL COMPANY,

Plaintiff,

v.

ROBERT I. HARTLEY, an  
individual, and HERMAN LEON  
WALKER, an individual

Defendants.

No. 81-C-644-B  
(Presently in Bankruptcy  
Court as No. 81-0649,  
Bankruptcy No. 80-00873)

ORDER NUNC PRO TUNC

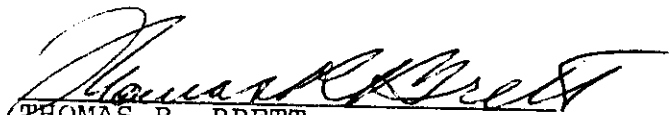
This matter comes before the Court on an Application For Removal filed by the Defendants on December 21, 1981, and a Response by the Plaintiff filed May 14, 1982 wherein the Plaintiff states no objections to Defendants' Application and requests the Court enter an Order Nunc Pro Tunc granting Defendants' Application as of the date such Application was filed.

In support of this request Plaintiff has shown that the matter proceeded to Judgment in Bankruptcy Court as if removal from District Court was effective on the day the Application for Removal was filed.

Absent any objections from the Plaintiff, Defendants' Application For Removal is hereby sustained. Furthermore, for good cause shown and for the reasons set forth in Plaintiff's Response, this Order shall be Nunc Pro Tunc, and the effective date for removal of this case to Bankruptcy Court shall be December 21, 1981, the date Defendants' Application was filed with this Court.

IT IS SO ORDERED.

Dated this 18<sup>th</sup> day of May, 1982.

  
THOMAS R. BRETT  
U. S. District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 17 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARTHUR R. WOOTEN,

Defendant.

CIVIL ACTION NO. 82-C-375-E

AGREED JUDGMENT

This matter comes on for consideration this 17<sup>th</sup> day  
of May, 1982, the Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Nancy A. Nesbitt, Assistant United States Attorney, and  
the Defendant, Arthur R. Wooten, appearing pro se.

The Court, being fully advised and having examined the  
file herein, finds that the Defendant, Arthur R. Wooten, was  
personally served with Summons and Complaint on March 27, 1982.  
The Defendant has not filed his Answer but in lieu thereof has  
agreed that he is indebted to the Plaintiff in the amount alleged  
in the Complaint and that Judgment may accordingly be entered  
against him in the amount of \$1,247.46, plus accrued interest of  
\$158.86 as of February 28, 1982, plus 12 percent interest from  
the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that  
the Plaintiff have and recover Judgment against the Defendant,  
Arthur R. Wooten, in the amount of \$1,247.46, plus accrued  
interest of \$158.86 as of February 28, 1982, plus 12 percent  
interest from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

Nancy A. Nesbitt  
NANCY A. NESBITT  
Assistant U.S. Attorney

Arthur R. Wooten  
ARTHUR R. WOOTEN

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE MAY 17 1982  
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RONALD W. STARKS,

Defendant.

CIVIL ACTION NO. 82-C-344-E

DEFAULT JUDGMENT

This matter comes on for consideration this 17 day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Philard L. Rounds, Jr., Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Ronald W. Starks, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Ronald W. Starks, was personally served with Summons and Complaint on March 23, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Ronald W. Starks, for the principal sum of \$846.70, plus interest at the rate of 12 percent from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 17 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEVEN R. BEDINGFIELD,

Defendant.

CIVIL ACTION NO. 82-C-198-E

DEFAULT JUDGMENT

This matter comes on for consideration this 17 day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Steven R. Bedingfield, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Steven R. Bedingfield, was personally served with an Alias Summons and Complaint on April 5, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Steven R. Bedingfield, for the principal sum of \$1,098.90, plus interest at the rate of 12 percent from the date of this Judgment until paid.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

RAYMOND J. DONOVAN, Secretary of  
Labor, United States Department  
of Labor,

Plaintiff,

v.

LOGAN WRIGHT and ROY HALE,  
individuals, and d/b/a SONIC  
DRIVE-IN, INC., a partnership,  
LOGAN WRIGHT FOUNDATION and  
LOGAN WRIGHT, INC., corporations,

Defendants.

No. 80-C-105-E

**FILED**

MAY 17 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

ORDER OF DISMISSAL

The plaintiff and the defendant in the above entitled and numbered cause, by their attorneys of record, hereby agree that the action shall be, and is dismissed with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1).

Each party hereby agrees to bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.

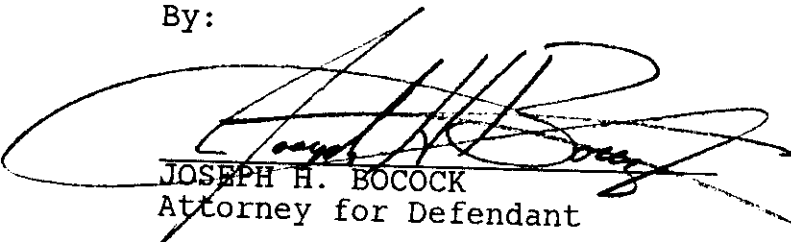
Dated this 17th day of May, 1982.

  
UNITED STATES DISTRICT JUDGE

Entry of the foregoing order of dismissal is consented and agreed to:

By:

By:

  
JOSEPH H. BOCOCK  
Attorney for Defendant

  
DONALD W. HILL  
Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 17 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

LELAND EQUIPMENT COMPANY, a )  
Delaware corporation, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
SANTA FE PIPELINE COMPANY, a )  
Montana corporation, )  
 )  
Defendant. )

No. 81-C-409-B

ORDER

It appearing to the satisfaction of the Court that all matters have been compromised by and between the parties as attested by the signatures of the attorneys on the Stipulation filed herein on the 10 day of May, 1982 with Settlement Agreement attached; and

IT IS THEREFORE ORDERED that the Plaintiff's suit be and the same is hereby dismissed with prejudice

IT IS FURTHER ORDERED that the costs of this suit be apportioned pursuant to the said Settlement Agreement.

DATED this 17 day of May, 1982.

S/ THOMAS R. BROWN  
JUDGE OF THE DISTRICT COURT

APPROVED AS TO FORM:

Lawrence D. Taylor  
Lawrence D. Taylor  
Attorney for Plaintiff

R. K. Pezold  
R. K. Pezold  
Attorney for Defendant

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 17 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
TIMOTHY R. PARKER, )  
 )  
Defendant. )

CIVIL ACTION NO. 82-C-434-C

AGREED JUDGMENT

This matter comes on for consideration this 17 day  
of May, 1982; the Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Philard L. Rounds, Jr., Assistant United States Attorney,  
and the Defendant, Timothy R. Parker, appearing pro se.

The Court, being fully advised and having examined the  
file herein, finds that the Defendant, Timothy R. Parker, was  
personally served with Summons and Complaint on April 13, 1982.  
The Defendant has not filed his Answer but in lieu thereof has  
agreed that he is indebted to the Plaintiff in the amount alleged  
in the Complaint and that Judgment may accordingly be entered  
against him in the amount of \$340.27, plus 12 percent interest  
from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that  
the Plaintiff have and recover Judgment against the Defendant,  
Timothy R. Parker, in the amount of \$340.27, plus 12 percent  
interest from the date of this Judgment until paid.

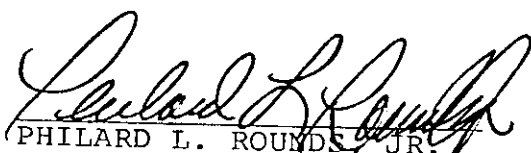
(Signed) H. Dale Cook

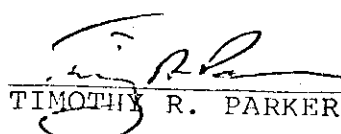
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
PHILARD L. ROUNDS, JR.  
Assistant U.S. Attorney

  
TIMOTHY R. PARKER

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 17 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ELBERT L. BREWER,

Defendant.

CIVIL ACTION NO. 82-C-489-C

AGREED JUDGMENT

This matter comes on for consideration this 17 day  
of May, 1982, the Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Philard L. Rounds, Jr., Assistant United States Attorney,  
and the Defendant, Elbert L. Brewer, appearing pro se.

The Court, being fully advised and having examined the  
file herein, finds that the Defendant, Elbert L. Brewer, was  
personally served with Summons and Complaint on May 13, 1982.  
The Defendant has not filed his Answer but in lieu thereof has  
agreed that he is indebted to the Plaintiff in the amount alleged  
in the Complaint and that Judgment may accordingly be entered  
against him in the amount of \$684.84, plus 12 percent interest  
from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that  
the Plaintiff have and recover Judgment against the Defendant,  
Elbert L. Brewer, in the amount of \$684.84, plus 12 percent  
interest from the date of this Judgment until paid.

(Signed) H. Dale Cook

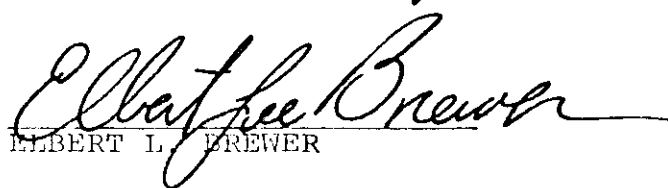
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
PHILARD L. ROUNDS, JR.  
Assistant U.S. Attorney

  
ELBERT L. BREWER



FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 17 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

WALTER J. FRAZIER,  
Defendant.

CIVIL ACTION NO. 82-C-348-C

AGREED JUDGMENT

This matter comes on for consideration this 17<sup>th</sup> day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Philard L. Rounds, Jr., Assistant United States Attorney, and the Defendant, Walter J. Frazier, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Walter J. Frazier, was personally served with Alias Summons and Complaint on May 17, 1982. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of \$252.30, plus 12 percent interest from the date of this Judgment until paid.


IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Walter J. Frazier, in the amount of \$252.30, plus 12 percent interest from the date of this Judgment until paid.

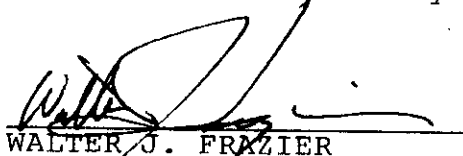
  
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
PHILARD L. ROUNDS, JR.  
Assistant U.S. Attorney

  
WALTER J. FRAZIER

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 17 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
JACK FOOS, JR., )  
 )  
Defendant. )

CIVIL ACTION NO. 81-C-788-C

DEFAULT JUDGMENT

This matter comes on for consideration this 17 day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Jack Foos, Jr., appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Jack Foos, Jr., was personally served with an Alias Summons and Complaint on February 27, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Jack Foos, Jr., for the principal sum of \$562.67, plus interest at the rate of 12 percent from the date of this Judgment until paid.

(Signed) H. Dale Cook

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA  
ADAMS PETROLEUM ENTERPRISES CORPORATION  
Plaintiff

VS

82-C-87-C

**FILED**  
MAY 17 1982  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

PIERCE MANUFACTURING COMPANY;

Defendants

**ORDER OF DISMISSAL**

Now on this 13th day of May, 1982 this matter came for pre-trial, both parties appearing by counsel of record. The Plaintiff announced that it desired to add an additional party defendant who was a resident of Oklahoma, thus destroying complete diversity of citizenship. The court thereupon ordered the Complaint dismissed without prejudice.

IT IS SO ORDERED.

(Signed) H. Dale Cook

---

Judge, United States District Court.

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 17 1982

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

KURT E. JOHN,  
Defendant.

JOCK U. SILVER, Clerk  
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-473-B

AGREED JUDGMENT

This matter comes on for consideration this 17 day  
of May, 1982, the Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Don J. Guy, Assistant United States Attorney, and the  
Defendant, Kurt E. John, appearing pro se.

The Court, being fully advised and having examined the  
file herein, finds that the Defendant, Kurt E. John, was  
personally served with Summons and Complaint on April 28, 1982.  
The Defendant has not filed his Answer but in lieu thereof has  
agreed that he is indebted to the Plaintiff in the amount alleged  
in the Complaint and that Judgment may accordingly be entered  
against him in the amount of \$342.10, plus 12 percent interest  
from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that  
the Plaintiff have and recover Judgment against the Defendant,  
Kurt E. John, in the amount of \$342.10, plus 12 percent interest  
from the date of this Judgment until paid.

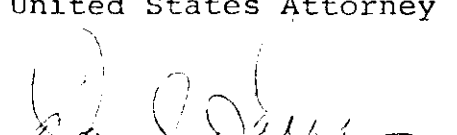
S/ THOMAS R. BRETT

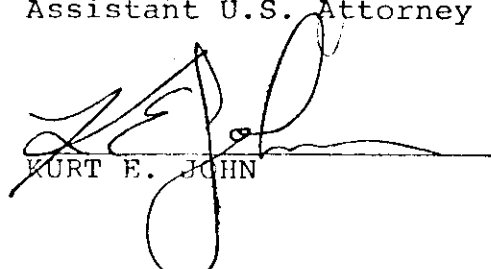
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
DON J. GUY  
Assistant U.S. Attorney

  
KURT E. JOHN

FILED

MAY 17 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

JOE W. LYONS,

Defendant.

CIVIL ACTION NO. 82-C-519-B

AGREED JUDGMENT

This matter comes on for consideration this 10<sup>th</sup> day  
of May, 1981, the Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Philard L. Rounds, Jr., Assistant United States Attorney,  
and the Defendant, Joe W. Lyons, appearing pro se.

The Court, being fully advised and having examined the  
file herein, finds that Defendant, Joe W. Lyons, was personally  
served with Summons and Complaint on May 7, 1982. The Defendant  
has not filed his Answer but in lieu thereof has agreed that he  
is indebted to the Plaintiff in the amount of \$883.48, plus the  
accrued interest of \$357.53 as of July 15, 1981, plus interest at  
7% per annum from July 15, 1981, until the date of this Judgment,  
plus 12% interest on the principal sum of \$883.48 from the date  
of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that  
the Plaintiff have and recover Judgment against the Defendant,  
Joe W. Lyons, for the principal sum of \$883.48, plus the accrued  
interest of \$357.53 as of July 15, 1981, plus interest at 7% per  
annum from July 15, 1981, until the date of this Judgment, plus

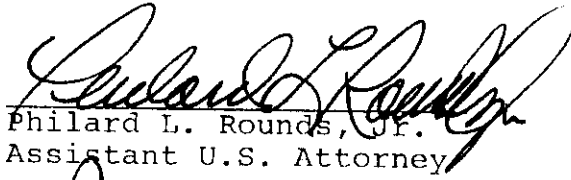
12% interest on the principal sum of \$883.48 from the date of  
this Judgment until paid.

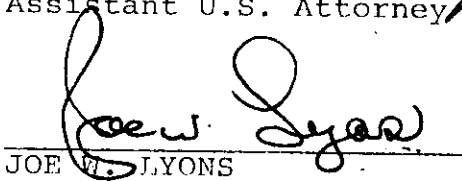
  
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
Philard L. Rounds, Jr.  
Assistant U.S. Attorney

  
JOE W. LYONS

FILED

MAY 17 1982

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

JACK C. SILVER, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL ACTION NO. 82-C-193-B
	)	
JACK G. LAWWILL II,	)	
	)	
Defendant.	)	

DEFAULT JUDGMENT

This matter comes on for consideration this 17 day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Nancy A. Nesbitt, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Jack G. Lawwill II, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Jack G. Lawwill II, was personally served with Summons and Complaint on April 6, 1982. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Jack G. Lawwill II, for the principal sum of \$388.33, plus interest at the rate of 12 percent from the date of this Judgment until paid.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

THE BOARD OF TRUSTEES OF THE PIPELINE )  
INDUSTRY BENEFIT FUND, )  
4845 South 83 East Avenue, )  
Tulsa, Oklahoma 74145, )

Plaintiff, )

vs. )

DAVIS INDUSTRIES, INC., )  
R. D. 2, Box A26CC, )  
Charleroi, Pennsylvania 15022, )

Defendant. )

MAY 17 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

82-C-304-B

ORDER OF DISMISSAL

Now on this 17 day of May, 1982, plaintiff's Motion for Dismissal coming on for consideration and counsel for plaintiff herein representing and stating that all issues, controversies, debts and liabilities between the parties have been paid, settled and compromised;

IT IS THE ORDER OF THIS COURT that said action be, and the same is, hereby dismissed with prejudice to the bringing of another or future action by the plaintiff herein.

S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE



FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 17 1982

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PHILLIP G. MINER,

Defendant.

JACK C. SILVER, Clerk  
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-368-B

AGREED JUDGMENT

This matter comes on for consideration this 17 day  
of May, 1982, the Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Nancy A. Nesbitt, Assistant United States Attorney, and  
the Defendant, Phillip G. Miner, appearing pro se.

The Court, being fully advised and having examined the  
file herein, finds that the Defendant, Phillip G. Miner, was  
personally served with Summons and Complaint on April 1, 1982.  
The Defendant has not filed his Answer but in lieu thereof has  
agreed that he is indebted to the Plaintiff in the amount alleged  
in the Complaint and that Judgment may accordingly be entered  
against him in the amount of \$590.80, plus 12 percent interest  
from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that  
the Plaintiff have and recover Judgment against the Defendant,  
Phillip G. Miner, in the amount of \$590.80, plus 12 percent  
interest from the date of this Judgment until paid.

S/ THOMAS R. BRETT

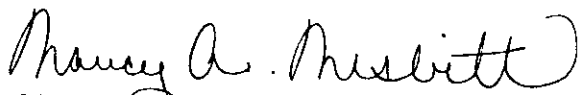
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING

United States Attorney



NANCY A. NESBITT

Assistant U.S. Attorney



PHILLIP G. MINER

FILED

MAY 17 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

AZCON CORPORATION, d/b/a GILBERT )  
MERRILL STEEL COMPANY, )

Plaintiff, )

v. )

KYLE FORGE COMPANY, an Oklahoma )  
corporation, )

Defendant.)

No. 81-C-755-C

ORDER

This action comes before the Court on the Stipulation and Dismissal filed by all parties which have appeared in this action. It appearing to the Court that such Stipulation is in proper form and at the request of the parties:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that each and every cause of action, claim for relief, counterclaim and cross-claim asserted by the parties herein is ordered dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each party to this action shall bear its own costs and attorney fees.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that within thirty (30) days from the date of this order each party shall return to the other all documents, records and exhibits produced by another party to the action.

Done this 17 day of May, 1982.

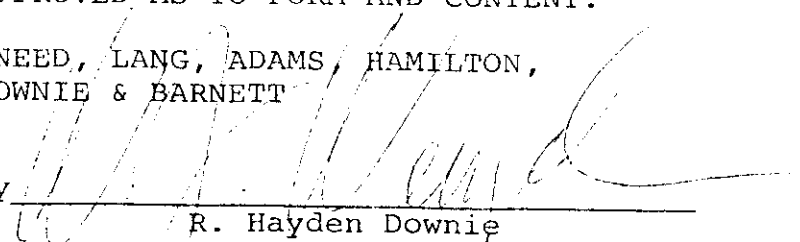
S/ THOMAS R. BRETT

UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM AND CONTENT:

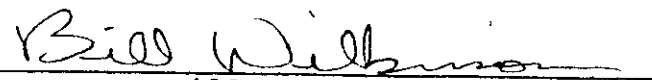
SNEED, LANG, ADAMS, HAMILTON,  
DOWNIE & BARNETT

By

  
R. Hayden Downie  
William J. Wenzel  
Attorneys for plaintiff

CHAPEL, WILKINSON, RIGGS, ABNEY &  
HENSON

By

  
Bill V. Wilkinson  
Attorneys for defendant

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

KYLE FORGE COMPANY,  
an Oklahoma corporation,

Plaintiff,

vs.

GILBERT MERRILL STEEL COMPANY  
and AZCON CORPORATION,

Defendants,

vs.

WILLIAM D. WALDEN and KYLE  
FORGE COMPANY, a Texas  
corporation,

Defendants on  
Counterclaim.

No. 79-C-592-BT

**FILED**

**MAY 17 1982**

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

O R D E R

This action comes before the Court on the Stipulation and Dismissal filed by all parties which have appeared in this action. It appearing to the Court that such Stipulation is in proper form and at the request of the parties:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that each and every cause of action, claim for relief, counterclaim and cross-claim asserted by the parties herein is ordered dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each party to this action shall bear its own costs and attorneys' fees.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that within thirty (30) days from the date of this order each party shall return to the other all documents, records and exhibits produced by another party to the action.

DONE this 17 day of May, 1982.

S/ THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM  
AND CONTENT:

CHAPEL, WILKINSON, RIGGS,  
ABNEY & HENSON

By: Bill V. Wilkinson  
Bill V. Wilkinson  
Attorneys for Plaintiff  
and Defendants on Counterclaim

SNEED, LANG, ADAMS,  
HAMILTON, DOWNIE & BARNETT

By: R. Hayden Downie  
R. Hayden Downie  
William J. Wehzel  
Attorneys for Defendants

FILED

MAY 17 1982 *jc*

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

ASHLAND OIL, INC.,  
Plaintiff,  
vs.  
PHILLIPS PETROLEUM COMPANY,  
Defendant.

No. 76-C-76-B ✓

O R D E R

This Court has for consideration the Dismissal with Prejudice by plaintiff herein of this action and plaintiff's request for this Court's order approving such dismissal and ordering this action dismissed with prejudice.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Dismissal with Prejudice filed by Ashland Oil, Inc. of this action is hereby approved and it is hereby ordered that this action be and the same hereby is dismissed with prejudice to any future action or filing, all at the cost of plaintiff.

  
THOMAS R. BRETT, JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**

MAY 17 1982 *if*

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

JANIE MCGHEE,

Plaintiff,

vs.

DANIEL D. DRAPER, et al.,

Defendants.

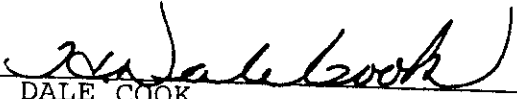
No. 74-C-326-C

J U D G M E N T

This action came on for trial before the Court and a jury, Honorable H. Dale Cook, presiding. The issues having been duly tried and the jury having duly rendered its verdict,

IT IS ORDERED AND ADJUDGED that the plaintiff, Janie McGhee Cook, recover of the defendants, Floyd Mott, Max Shelly, Montie Jones, Bill Crites, and Ronald Dale Duncan, in their official capacities as members of the School Board of Oklahoma Independent School District No. 4, at Colcord, Delaware County, Oklahoma, the sum of One Hundred Ten Thousand Dollars (\$110,000.00), with interest thereon at the statutory rate from the date of this Judgment, and for costs of this action.

It is so Ordered this 14<sup>th</sup> day of May, 1982.

  
H. DALE COOK  
Chief Judge, U. S. District Court

FILED

MAY 17 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

UNIVERSAL PETROLEUM CO., INC.	)	
	)	
Plaintiff,	)	
	)	
vs.	)	NO. 81-C-324-B
	)	
B. J. HUGHES, INC.	)	
	)	
Defendant.	)	

ORDER

It appears to the court that the above entitled action has been fully settled, adjusted and compromised and based on stipulation; therefore,

IT IS ORDERED AND ADJUDGED that the above entitled action be and it is hereby dismissed without cost to any party and with prejudice to all the parties.

Dated this 17 day of May, 1982.

S/ THOMAS R. BRETT  
\_\_\_\_\_  
JUDGE OF THE UNITED STATES  
DISTRICT COURT



IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**

MAY 13 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

SAMMY R. OWENS,

Defendant.

CIVIL ACTION NO. 82-C-481-E

AGREED JUDGMENT

This matter comes on for consideration this 13 day  
of May, 1982, the Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Philard L. Rounds, Jr., Assistant United States Attorney,  
and the Defendant, Sammy R. Owens, appearing pro se.

The Court, being fully advised and having examined the  
file herein, finds that the Defendant, Sammy R. Owens, was  
personally served with Summons and Complaint on April 21, 1982.  
The Defendant has not filed his Answer but in lieu thereof has  
agreed that he is indebted to the Plaintiff in the amount alleged  
in the Complaint and that Judgment may accordingly be entered  
against him in the amount of \$607.50, plus 12 percent interest  
from the date of this Judgment until paid.

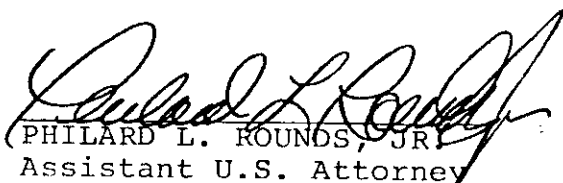
IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that  
the Plaintiff have and recover Judgment against the Defendant,  
Sammy R. Owens, in the amount of \$607.50, plus 12 percent  
interest from the date of this Judgment until paid.

H. DALE COOK for S. JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
PHILARD L. ROUNDS, JR.  
Assistant U.S. Attorney

  
SAMMY R. OWENS

IN THE UNITED STATES DISTRICT COURT **FILED**  
NORTHERN DISTRICT OF OKLAHOMA

MAY 13 1982

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BOBBIE J. OWENS,

Defendant.

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-425-E

AGREED JUDGMENT

This matter comes on for consideration this 13th day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Nancy A. Nesbitt, Assistant United States Attorney, and the Defendant, Bobbie J. Owens, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Bobbie J. Owens, was personally served with Summons and Complaint on April 19, 1982. The Defendant has not filed her Answer but in lieu thereof has agreed that she is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against her in the amount of \$248.62, plus 12 percent interest from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Bobbie J. Owens, in the amount of \$248.62, plus 12 percent interest from the date of this Judgment until paid.

H. DALE COOK

*for* S/ JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING

United States Attorney

*Nancy A. Nesbitt*  
NANCY A. NESBITT  
Assistant U.S. Attorney

*Bobbie J. Owens*  
BOBBIE J. OWENS

FILED,

MAY 13 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEPHEN G. SPERB,

Defendant.

CIVIL ACTION NO. 82-  
C-206-E

NOTICE OF DISMISSAL

COMES NOW the United States of America by  
Frank Keating, United States Attorney for the Northern District  
of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt,  
Assistant United States Attorney, and hereby gives notice of its  
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,  
of this action without prejudice.

Dated this 13th day of May, 1982.

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

*Nancy A. Nesbitt*

NANCY A. NESBITT  
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy  
of the foregoing pleading was served on each  
of the parties hereto by mailing the same to  
them or to their attorneys of record on the  
13th day of May, 1982.

*[Signature]*  
Assistant United States Attorney

PAUL E. SMITH,

VS.

Defendant.

**FILED**

O R D E R


Jack C. Silver, Clerk  
U. S. DISTRICT COURT

In view of the situation as set out above, the fact that the Court concludes the plaintiff's complaint fails to comply with Fed.R.Civ.P. 8(a) and no proper service has been effectuated upon

defendant, RCA Service Company, the Court determines that the plaintiff's complaint should be dismissed without prejudice.

It is therefore the Order of this Court that the plaintiff's complaint is dismissed without prejudice.

It is so Ordered this 13 day of May, 1982.

  
H. DALE COOK  
Chief Judge, U. S. District Court

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

HOPE MORENO LEOS,

Plaintiff,

vs.

MCDONNELL DOUGLAS CORPORATION,

Defendant.

No. 81-C-304-C ✓

**FILED**

MAY 13 1982 *W*

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

J U D G M E N T

Pursuant to the Findings of Fact and Conclusions of Law  
filed simultaneously herein, it is hereby Ordered that judgment  
be entered in favor of the defendant and against the plaintiff,  
that the plaintiff take nothing, that the action be dismissed on  
the merits and that the defendant recover of the plaintiff its  
costs of action.

It is so Ordered this 13<sup>th</sup> day of May, 1982.

*H. Dale Cook*  
H. DALE COOK

Chief Judge, U. S. District Court

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

VIRGINIA J. MAGGARD, Executrix  
of the Estate of J. D. Maggard, Jr.,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

)  
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)

CIVIL NO. 81-C-157-E


**FILED**

**MAY 13 1982**

**Jack C. Silver, Clerk  
U. S. DISTRICT COURT**

STIPULATION OF DISMISSAL

It is hereby stipulated and agreed that the complaint  
in the above-entitled case be dismissed with prejudice, the  
parties to bear their respective costs, including any possible  
attorneys' fees or other expenses of litigation.

  
\_\_\_\_\_  
JONES, GIVENS, GOTCHER, DOYLE  
& BOGAN, INC.

201 West Fifth Street, Suite 400  
Tulsa, Oklahoma 74103  
Attorney for Plaintiff

  
\_\_\_\_\_  
GLENN L. ARCHER, JR.

Assistant Attorney General  
Tax Division  
Department of Justice  
Washington, D.C. 20530  
Attorney for Defendant

FILED

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 13 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THOMAS P. NEIL,

Defendant.

CIVIL ACTION NO. 82-C-476-C

AGREED JUDGMENT

This matter comes on for consideration this 13th day  
of May, 1982, the Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Philard L. Rounds, Jr., Assistant United States Attorney,  
and the Defendant, Thomas P. Neil, appearing pro se.

The Court, being fully advised and having examined the  
file herein, finds that the Defendant, Thomas P. Neil, was  
personally served with Summons and Complaint on April 23, 1982.  
The Defendant has not filed his Answer but in lieu thereof has  
agreed that he is indebted to the Plaintiff in the amount alleged  
in the Complaint and that Judgment may accordingly be entered  
against him in the amount of \$278.40, plus 12% interest from the  
date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that  
the Plaintiff have and recover Judgment against the Defendant,  
Thoms P. Neil, in the amount of \$278.40, plus 12% interest from  
the date of this Judgment until paid.

(Signed) H. Dale Cook

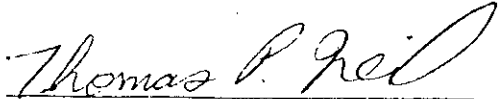
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
PHILARD L. ROUNDS, JR.  
Assistant U.S. Attorney

  
THOMAS P. NEIL



FILED

MAY 13 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DOUGLAS W. HARRIS,

Defendant.

CIVIL ACTION NO. 82-C-152-C

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Philard L. Rounds, Jr., Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 13th day of May, 1982.

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
PHILARD L. ROUNDS, JR.  
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 13th day of May, 1982.

  
Assistant United States Attorney

FILED

MAY 13 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

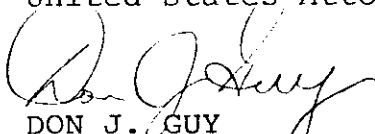
UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL ACTION NO. 81-C-740-C
	)	
LARRY W. RIEVES,	)	
	)	
Defendant.	)	

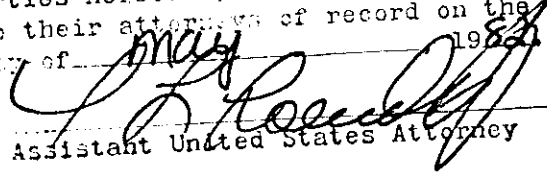
NOTICE OF DISMISSAL

COMES NOW the United States of America by  
Frank Keating, United States Attorney for the Northern District  
of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant  
United States Attorney, and hereby gives notice of its dismissal,  
pursuant to Rule 41, Federal Rules of Civil Procedure, of this  
action without prejudice.

Dated this 13th day of May, 1982.

UNITED STATES OF AMERICA  
  
FRANK KEATING  
United States Attorney  
  
  
DON J. GUY  
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy  
of the foregoing pleading was served on each  
of the parties hereto by mailing the same to  
them or to their attorneys of record on the  
13th day of May 1982.  
  
Assistant United States Attorney

**FILED**

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 12 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

SOUTHWESTERN BELL TELEPHONE CO., )  
a Missouri Corporation, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
AUDIO VISUAL ENTERPRISES, INC., )  
 )  
Defendant. )

No. 81-C-352-E ✓

JOURNAL ENTRY OF JUDGMENT

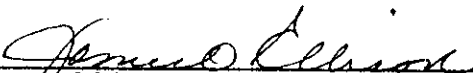
This action was heard on the 12th day of May, 1982, on motion of Plaintiff for default judgment pursuant to Rule 55 of the Federal Rule of the Civil Procedure. Subsequent to the filing of the Complaint in this action on July 15, 1981, and the serving of the summons and Complaint on Defendant, required by law, Defendant failed to appear or answer herein. Defendant has defaulted in that it has not answered such a complaint herein on file and the time to answer such a complaint has expired. It further appears that default was entered against the Defendant on the 16th day of March, 1982, that notice of this hearing was sent to Defendant's attorney on March 26, 1982, and that no proceedings have been taken by Defendant since entry of its default.

The Court has considered evidence and finds this action to be written contracts and the amounts due on said contracts appear on them. The Plaintiff, Southwestern Bell Telephone Company is entitled to judgment on the default of the Defendant Audio Visual Enterprises, Inc., hereby adjudged to entered.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Plaintiff, Southwestern Bell Telephone Company,

recover on its Complaint from the Defendant, Audio Visual Enterprises, Inc. the sum of Sixteen Thousand Seventy-Six Dollars and Forty-One Cents (\$16,076.41), together with attorney fees ~~in the amount of \$~~ <sup>TO BE FIXED BY THE COURT UPON PROPER SHOWING</sup> and the accrued and accruing costs of this action.

DATED this 12th day of May, 1982.

  
\_\_\_\_\_  
James O. Ellison  
United States District Judge

FILED

MAY 12 1982

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KENNETH H. McCLELLAN,

Defendant.

CIVIL ACTION NO. 82-C-184-C

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 12th day of May, 1982.

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

*Nancy A. Nesbitt*

NANCY A. NESBITT  
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the

12th day of May, 1982.

*Nancy A. Nesbitt*  
Assistant United States Attorney

**FILED**

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**MAY 12 1982**

**Jack C. Silver, Clerk  
U. S. DISTRICT COURT**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROY J. MOWRY,

Defendant.

CIVIL ACTION NO. 82-C-484-B

NOTICE OF DISMISSAL

COMES NOW the United States of America by Frank Keating, United States Attorney for the Northern District of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant United States Attorney, and hereby gives notice of its dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure, of this action without prejudice.

Dated this 12th day of May, 1982.

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

*Don J. Guy*

DON J. GUY  
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing pleading was served on each of the parties hereto by mailing the same to them or to their attorneys of record on the 12th day of May, 1982.

*Don J. Guy*  
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT IN AND FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

**FILED**

MAY 11 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

LARRY G. GIBBONS, et al.,

Plaintiffs,

vs.

TEMPLE PETROLEUM COMPANY,  
INC., et al.,

Defendants.

Case Number 81-C-398-B

ORDER

It appearing to the Court that the above entitled action has been fully settled, adjusted, and compromised based on stipulations; therefore

IT IS ORDERED AND ADJUDGED that the above entitled action be, and it is hereby dismissed without further cost to any party and with prejudice to the Plaintiffs as to their claims for relief, and with prejudice to the Defendants as to their counter claims.

Dated this 5<sup>th</sup> day of May, 1982.

/s/ Thomas R. Brett  
THOMAS R. BRETT, Judge  
United States District Court  
Northern District of Oklahoma

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

EARL PRUITT,

Plaintiff,

vs.

TEXACO INC., a corporation,

Defendant.

No. 81-C-790-C

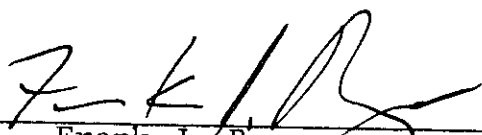
MAY 11 1982

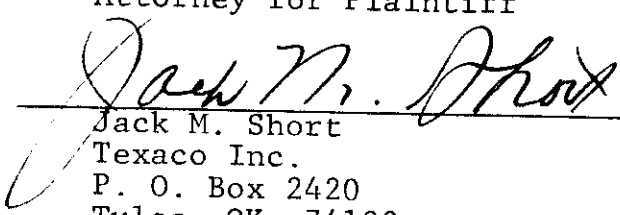
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

STIPULATION FOR DISMISSAL WITH PREJUDICE

IT IS HEREBY Stipulated that all claims, demands and causes of action of the Plaintiff against the Defendant set forth in this cause have been fully compromised and settled, and that this cause should be dismissed with prejudice to a future action with each party to pay their own costs.

DATED this 7<sup>th</sup> day of MAY, 1982.

  
Frank J. Pacenza  
214 S. Broadway  
Cleveland, OK 74020  
918/358-2190  
Attorney for Plaintiff

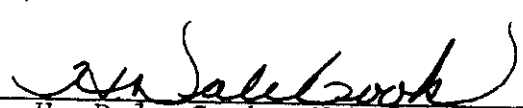
  
Jack M. Short  
Texaco Inc.  
P. O. Box 2420  
Tulsa, OK 74102  
918/743-5311  
Attorney for Defendant

ORDER OF DISMISSAL WITH PREJUDICE

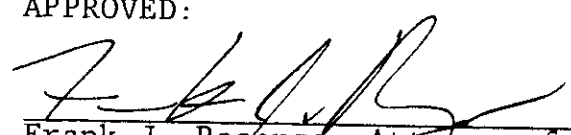
Upon the above and foregoing stipulation:

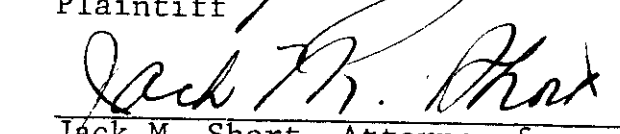
IT IS ORDERED BY THE COURT that this cause be, and the same is, hereby dismissed with prejudice with each party to pay their own costs.

DATED this 11<sup>th</sup> day of MAY, 1982.

  
H. Dale Cook, Chief Judge  
United States District Court

APPROVED:

  
Frank J. Pacenza, Attorney for  
Plaintiff

  
Jack M. Short, Attorney for  
Defendant



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

RICHARD COREY, et al.,  
Plaintiffs,  
vs.  
CURTIS A. WOLFER, et al.,  
Defendants.

No. 81-C-637-C

**FILED**

MAY 11 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

ORDER DISMISSING ACTION AS TO  
CPI CRUDE, INC., ONLY, WITHOUT PREJUDICE

Now on this 11 day of May, 1982, this matter coming on for consideration before the undersigned United States District Judge upon Plaintiffs' Motion to Dismiss as to Defendant CPI Crude, Inc. the Court finds that said Motion is made for good cause shown, and the same should be, and is hereby granted.

IT IS THEREFORE, ORDERED, ADJUDGED and DECREED that this action is dismissed, without prejudice, as to Defendant CPI Crude, Inc., only.

(Signed) H. Dale Cook

UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CIVIL ACTION NO. 81-C-396-E

MARIE A. MILLER, Individually;  
MARIE A. MILLER, as Natural  
Guardian for Lisa Miller, a  
Minor; LISA MILLER; CLEVELAND  
MILLER, if living, or if  
deceased, then the unknown  
heirs, executors, administrators  
of his estate or his unknown  
devisees or successors in  
interest; MORNING STAR FEDERAL  
CREDIT UNION; STATE OF OKLAHOMA  
ex rel OKLAHOMA TAX COMMISSION;  
COUNTY TREASURER, Tulsa County,  
Oklahoma, and BOARD OF COUNTY  
COMMISSIONERS, Tulsa County,  
Oklahoma,

Defendants.

**FILED**

MAY 11 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 11th day  
of May, 1982. The Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Nancy A. Nesbitt, Assistant United States Attorney; the  
Defendant, Morning Star Federal Credit Union, appearing by its  
attorney, Carlos J. Chappelle; the Defendant, State of Oklahoma  
ex rel Oklahoma Tax Commission, appearing by its attorney,  
Donna E. Cox; the Defendants, County Treasurer, Tulsa County,  
Oklahoma, and Board of County Commissioners, Tulsa County,  
Oklahoma, appearing by their attorney, David A. Carpenter,  
Assistant District Attorney; and, the Defendants, Marie A.  
Miller, Individually and as Natural Guardian for Lisa Miller, a  
Minor, Lisa Miller, and Cleveland Miller, if living, or if  
deceased, then the unknown heirs, executors, administrators of  
his estate or his unknown devisees or successors in interest,  
appearing not.

The Court being fully advised and having examined the  
file herein finds that Defendants, Marie A. Miller, Individually

and as Natural Guardian for Lisa Miller, a Minor, Lisa Miller, Cleveland Miller, if living, or if deceased, then the unknown heirs, executors, administrators of his estate or his unknown devisees or successors in interest, County Treasurer, Tulsa County, Oklahoma, and Board of County Commissioners, Tulsa County, Oklahoma, were served with Summons and Complaint on August 3, 1981; and, that Defendants, Morning Star Federal Credit Union and State of Oklahoma ex rel Oklahoma Tax Commission, were served with Summons and Complaint on August 4, 1981; all as appears on the United States Marshal's Service herein.

It appears that the Defendants, County Treasurer, Tulsa County, Oklahoma, and Board of County Commissioners, Tulsa County, Oklahoma, have duly filed their Answers herein on August 21, 1981; that Defendant, Morning Star Federal Credit Union, has duly filed its Answer herein on August 20, 1981, disclaiming any interest in the real estate involved in this foreclosure action; the Defendant, State of Oklahoma ex rel Oklahoma Tax Commission, has duly filed its Disclaimer herein on September 9, 1981; and that Defendants, Marie A. Miller, Individually and as Natural Guardian for Lisa Miller, a Minor, Lisa Miller, and Cleveland Miller, if living, or if deceased, then the unknown heirs, executors, administrators of his estate or his successors in interest, have failed to answer and that default has been entered by the Clerk of this Court.

The Court further finds that this is a suit based upon a mortgage note and for a foreclosure of a real property mortgage securing said mortgage note upon the following described real property located in Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma:

Lot Twelve (12), Block Forty-Nine (49),  
VALLEY VIEW ACRES THIRD ADDITION to the  
City of Tulsa, Tulsa County, Oklahoma,  
according to the recorded plat thereof.

THAT the Defendants, Marie A. Miller and Cleveland Miller, did, on the 4th day of May, 1973, execute and deliver to the Administrator of Veterans Affairs, their mortgage and

mortgage note in the sum of \$11,000.00 with 4 1/2 percent interest per annum, and further providing for the payment of monthly installments of principal and interest.

The Court further finds that Defendants, Marie A. Miller and Cleveland Miller, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon, which default has continued and that by reason thereof the above-named Defendants are now indebted to the Plaintiff in the sum of \$9,338.98 as unpaid principal with accrued interest thereon of \$235.45 as of April 1, 1982, plus interest accruing thereafter at the rate of \$1.15 per day, until paid, plus the cost of this action accrued and accruing.

The Court further finds that there is due and owing to the County of Tulsa, State of Oklahoma, from Defendants, Cleveland Miller and Marie Miller, the sum of \$5.75 plus interest according to law for personal property taxes for the year 1980 and that Tulsa County should have judgment for said amount, but that such judgment is subject to and inferior to the first mortgage lien of the Plaintiff herein.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover judgment against Defendants, Marie A. Miller and Cleveland Miller, if living, or if deceased, then the unknown heirs, executors, administrators of his estate or his unknown devisees or successors in interest, for the principal sum of \$9,338.98 with accrued interest thereon of \$235.45 as of April 1, 1982, plus interest accruing thereafter at the rate of \$1.15 per day, until paid, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the County of Tulsa have and recover judgment against Defendants,

Marie A. Miller and Cleveland Miller, if living, or if deceased, then the unknown heirs, executors, administrators of his estate or his unknown devisees or successors in interest, for the sum of \$5.75 as of the date of this judgment plus interest thereafter according to law for personal property taxes, but that such judgment is subject to and inferior to the first mortgage lien of the Plaintiff herein.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant, Lisa Miller, is in default because no answer was timely filed and the interest, if any, of Defendant, Lisa Miller, is subject to and inferior to the first mortgage lien of the Plaintiff herein.

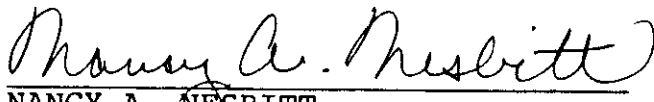
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon the failure of said Defendants to satisfy Plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell with appraisement the real property and apply the proceeds in satisfaction of Plaintiff's judgment. The residue, if any, shall be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the Defendants and all persons claiming under them since the filing of the Complaint herein are forever barred and foreclosed of any right, title, interest or claim to the real property or any part thereof.

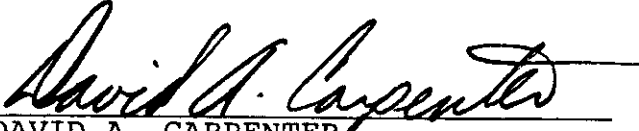
H: DALE COOK *Yes* S: JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

APPROVED:

FRANK KEATING  
United States Attorney



NANCY A. NESBITT  
Assistant United States Attorney



DAVID A. CARPENTER  
Assistant District Attorney  
Attorney for Defendants,  
County Treasurer and  
Board of County Commissioners,  
Tulsa County

FILED

MAY 10 1982

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
WADE L. HEADEN, )  
 )  
Defendant. )

CIVIL ACTION NO. 82-C-256-E

NOTICE OF DISMISSAL

COMES NOW the United States of America by  
Frank Keating, United States Attorney for the Northern District  
of Oklahoma, Plaintiff herein, through Nancy A. Nesbitt,  
Assistant United States Attorney, and hereby gives notice of its  
dismissal, pursuant to Rule 41, Federal Rules of Civil Procedure,  
of this action without prejudice.

Dated this 10th day of May, 1982.

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

*Nancy A. Nesbitt*

NANCY A. NESBITT  
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy  
of the foregoing pleading was served on each  
of the parties hereto by mailing the same to  
them or to their attorneys of record on the

10th day of May, 1982.

*Nancy A. Nesbitt*  
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MARGIE A. TUCKER,

Plaintiff,

vs.

RICHARD S. SCHWEIKER,  
Secretary of Health and  
Human Services of the  
United States of America,

Defendant.

CIVIL ACTION NO. 81-C-573-B

**FILED**

MAY 10 1982

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

O R D E R

On May 4, 1982, this matter came on for pre-trial hearing, the Defendant appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Nancy A. Nesbitt, Assistant United States Attorney, and the Plaintiff appearing not.

This was the second pre-trial hearing set in this matter, the first having been set on April 6, 1982. The Plaintiff was not present or represented at the first pre-trial hearing. The Notice of the May 4 hearing therefore advised Plaintiff that her failure to appear could result in dismissal of this action for failure to prosecute. This Notice was mailed to Plaintiff and her attorney, pro hac vice.

Plaintiff having failed to appear, it is therefore ordered that this action is dismissed on the present state of the record with prejudice. However, this is not to foreclose any reapplication or rehearing for Social Security benefits by the Plaintiff.

S/ THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE



IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

GENE SALTSMAN,

Plaintiff,

vs.

FIBREBOARD CORPORATION,  
et al.,

Defendants.

No. 79-C-616-BT

APR 29 1982

JACK C. SILVER, Clerk  
U. S. DISTRICT COURT

MOTION TO DISMISS

The Plaintiff, GENE SALTSMAN, by and through his attorney of record respectfully shows the Court that Plaintiff and Defendants, UNARCO INDUSTRIES, INC., RYDER INDUSTRIES, INC., and NICOLET, INC., have agreed to and reached a settlement herein at the time of trial, and moves this Court to dismiss this action with prejudice as to these defendants.

DATED this \_\_\_\_ day of \_\_\_\_\_, 1982.

FILED

SILAS WOLF, JR.  
Attorney for Plaintiff  
111 North Peters, Suite 550  
Norman, Oklahoma 73069  
(405) 329-1115

MAY 10 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

ORDER

NOW on this 5th day May, 1982, the above styled and numbered cause coming on for hearing before the undersigned Judge of the United States District Court in and for the Northern District of Oklahoma, upon Plaintiff's Motion for Dismissal of Defendants, UNARCO INDUSTRIES, INC., RYDER INDUSTRIES, INC. and NICOLET, INC. The Court having examined the pleadings and being well and fully advised in the premises, is of the opinion that said cause should be dismissed with prejudice as to these Defendants.

S/ THOMAS R. BREN

UNITED STATES DISTRICT JUDGE

FILED

MAY 10 1982

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEVEN D. CLINTON,

Defendant.

CIVIL ACTION NO. 82-C-242-E

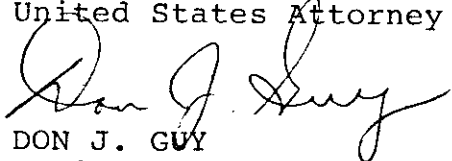
NOTICE OF DISMISSAL

COMES NOW the United States of America by  
Frank Keating, United States Attorney for the Northern District  
of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant  
United States Attorney, and hereby gives notice of its dismissal,  
pursuant to Rule 41, Federal Rules of Civil Procedure, of this  
action without prejudice.

Dated this 5th day of May, 1982.

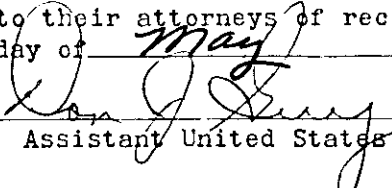
UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
DON J. GUY  
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy  
of the foregoing pleading was served on each  
of the parties hereto by mailing the same to  
them or to their attorneys of record on the  
10<sup>th</sup> day of May, 1982.

  
Assistant United States Attorney

FILED

MAY 10 1982

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

ZIEGLER CORPORATION,  
a Kansas corporation,

Plaintiff,

v.

CITY OF BARTLESVILLE,  
OKLAHOMA, a Municipal  
corporation,

Defendant.

Case No. 82-C-102-E

*Notice of*  
DISMISSAL

Comes now the plaintiff and dismisses the above cause of action. This Dismissal is with prejudice as to all claims or causes of action of the plaintiff except as to claims for extra work on Brookside Parkway, Yale and for any other claims arising for work performed after April 28, 1982. As to claims for extra work on Brookside Parkway, Yale and for claims arising for work performed after April 28, 1982, this Dismissal is without prejudice. Payment for contract work performed by Ziegler up to April 28, 1982, but not paid for, is not barred by this Dismissal and the Dismissal as to that is without prejudice.

Respectfully submitted

MILLER AND GLYNN, P.C.

By

*[Signature]*  
R. W. Miller  
222 Plaza Center Building  
800 West 47th Street  
Kansas City, Missouri 64112  
(816) 531-0755

and

SANDERS AND CARPENTER

By

*[Signature]*  
David H. Sanders  
205 Denver Building  
Tulsa, Oklahoma 74119

ATTORNEYS FOR PLAINTIFF

FILED

MAY 10 1982

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES C. PIGG,

Defendant.

CIVIL ACTION NO. 82-C-74-E

NOTICE OF DISMISSAL

COMES NOW the United States of America by  
Frank Keating, United States Attorney for the Northern District  
of Oklahoma, Plaintiff herein, through Don J. Guy, Assistant  
United States Attorney, and hereby gives notice of its dismissal,  
pursuant to Rule 41, Federal Rules of Civil Procedure, of this  
action without prejudice.

Dated this 10th day of May, 1982.

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

*Don J. Guy*  
DON J. GUY  
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy  
of the foregoing pleading was served on each  
of the parties hereto by mailing the same to  
them or to their attorneys of record on the  
10th day of May, 1982.

*Don J. Guy*  
Assistant United States Attorney

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

RECEIVED  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KAREN Y. BOYCE, a/k/a  
KAREN Y. MACKEY,

Defendant.

CIVIL ACTION NO. 81-C-376-E

DEFAULT JUDGMENT

This matter comes on for consideration this \_\_\_\_\_ day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Philard L. Rounds, Jr., Assistant United States Attorney, and the Defendant, Karen Y. Boyce, a/k/a Karen Y. Mackey, appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Karen Y. Boyce, a/k/a Karen Y. Mackey, was personally served with Summons and Complaint on July 28, 1981. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover Judgment against Defendant, Karen Y. Boyce, a/k/a Karen Y. Mackey, for the principal sum of \$1,577.02, plus the accrued interest of \$455.63 as of October 1, 1980, plus interest on the principal sum of \$1,577.02 at 7 percent from October 1, 1980, until the date of Judgment, plus interest on the Judgment at the rate of 12 percent until paid.

(Signed) H. Dale Cook *for* S/ JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

11/10/82 *je*

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

KAMO Electric Cooperative,, )  
Inc., A Corporation, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
JAMES DALGARN, et al., )  
 )  
Defendants. )

CIVIL ACTION NO. 81-C-652-B ✓

STIPULATION OF JUDGMENT

IT IS HEREBY AGREED by the parties, KAMO Electric Cooperative, Inc., by Jack L. Rorschach, and the named Native American Indians by Philard L. Rounds, Jr., Assistant United States Attorney, that Judgment be entered pursuant to this Stipulation.

I

The parties hereby agree and stipulate that the Tract No. 1 owned by James Dalgarn, John H. Dalgarn, and Helen Rice has the perpetual easement value in the amount of \$5,000.00. Said easement to be 100 foot by 2685 foot strip of land in the East Half (E/2) of the East Half (E/2) of the Northwest Quarter (NW/4) of Section 33, Township 18 North, Range 10 East, Creek County, Oklahoma. Said perpetual easement covering approximately 6.164 acres.

II

Tract No. 2 owned by Betty Jo Fleming with the perpetual easement value of \$2,400.00. The perpetual easement to be 100 foot by 1450 foot strip and a 50 foot by 50 foot strip of land in the East Half (E/2) of the Northwest Quarter (NW/4) of Section 26, Township 18 North, Range 10 East, Creek County, Oklahoma. Said perpetual easement covering approximately 3.386 acres.

III

Tract No. 3 owned by Lucille Watashe Warrior with the perpetual easement value of \$3,200.00. The perpetual easement to


be 100 foot by 1378 foot strip of land in the East Half (E/2) of East Half (E/2) of Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) of Section 4, Township 17 North, Range 10 East, Creek County, Oklahoma. Said perpetual easement covering 3.16 acres.

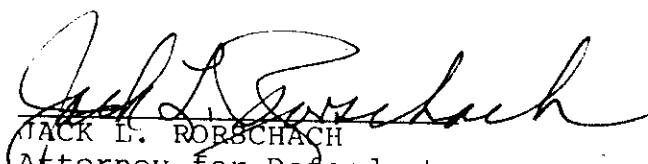
IT IS HEREBY STIPULATED by the parties that these figures have been accepted, and upon deposit of these funds into the registry of the court and disbursal to the named Native American Indians, that the case then be closed.

  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

FRANK KEATING  
United States Attorney

  
PHILARD L. ROUNDS, SR.  
Assistant U.S. Attorney

  
JACK L. ROBSCHACH  
Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 10 1982

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

JIMMY BRANSON WHEAT and )  
DEBBIE WHEAT, husband and wife, )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
BECHTEL CORPORATION, (formerly )  
Bechtel, Inc.) a Nevada )  
corporation; VULCAN TANK )  
CORPORATION, a suspended Oklahoma )  
corporation; and FRAM CORPORATION, )  
a foreign corporation, )  
 )  
Defendants. )

No. 81-C-571-B

ORDER OF DISMISSAL WITH PREJUDICE

This matter coming on for hearing before the Court on this 10<sup>th</sup> day of May, 1982, upon the application of the plaintiffs for order of dismissal with prejudice in this cause, plaintiffs appearing by counsel, John McCormick, Jr., and the defendant, Bechtel Corporation (formerly Bechtel, Inc.) appearing by counsel, Dale F. McDaniel, and the Court being advised in the premises and having examined the application of the plaintiffs herein, finds that all issues of law and fact heretofore existing between the plaintiffs and this defendant have been settled, compromised, released and extinguished, for valuable consideration flowing from plaintiffs to Bechtel Corporation and from Bechtel Corporation to plaintiffs, and further finds that there remains no issue of law or fact to be determined in this cause as between the plaintiffs and this defendant. The Court further finds that plaintiffs desire to dismiss their cause to future actions for the reasons stated, and that their application should be granted.

BE IT, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that all issues of law and fact heretofore existing between the plaintiffs and Bechtel Corporation have been settled, compromised, released and extinguished for valuable consideration, and that there remains no issue to be determined in this cause between the parties.



BE IT FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that plaintiff's cause and any causes arising therefrom, as against this defendant, be and the same are hereby dismissed with prejudice to all future actions thereon.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that plaintiffs reserve all other actions as against all other defendants herein.

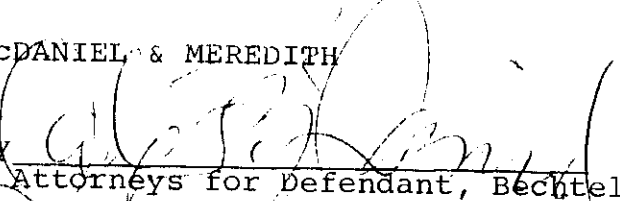
  
Judge

APPROVED:

JOHN McCORMICK, JR.

By   
Attorney for Plaintiffs

MCDANIEL & MEREDITH

By   
Attorneys for Defendant, Bechtel Corporation

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT  
OF OKLAHOMA

KAMO Electric Cooperative, Inc.,  
A Corporation,

Plaintiff,

-vs-

James Dalgarn, et al.,

Defendants.

Case No. 81-C-652-B

**FILED**

JUDGMENT AND ORDER DIRECTING PAYMENT  
OF AWARD OF COMMISSIONERS

Jack C. Silver, Clerk

This matter coming to be heard on this 10<sup>th</sup> day of May, 1982, pursuant to regular assignment, and it appearing that all of the Defendants have been duly served as required by the Court and Rule 71A of the Rules of Civil Procedure more than twenty (20) days prior to this date, and that none of said Defendants have filed an Answer in this cause raising any issue as to the right of the Plaintiff to take and appropriate the easements hereinafter described, and that Plaintiff is entitled to judgment condemning and vesting in Plaintiff the rights-of-way hereinafter described, all as prayed for in its Petition; and

It further appearing that the Commissioners appointed herein have made and returned to this Court their Report of the compensation and damages to which the restricted owners are entitled for the taking and appropriation of said rights-of-way.

That the United States of America has not filed any exception to the Commissioners' award nor demand for jury trial, and that some of the other Defendants have filed a Demand for Jury Trial or exception to the Report of the Commissioners. That the attorneys of record for the Plaintiff and Defendants have entered into a stipulation waiving and withdrawing the Demand For Jury Trial heretofore filed and agreeing that judgment may be taken in this proceedings in the amounts set opposite the tracts, to-wit:

Tract No. 1.....	Amount:	\$5,000.00
Tract No. 2.....	Amount:	\$2,400.00
Tract No. 3.....	Amount:	\$3,200.00.

IT IS THEREFORE, ORDERED, AND DECREED that Plaintiff have and recover judgment against the Defendants and each of them, condemning and vesting in Plaintiff a perpetual easement and right-of-way for the construction, operation and maintenance of an electric trans-

CK-HRM

mission system of wires, cables and fixtures aerially suspended from and supported by structures limited as to number and location, as set forth in the Complaint, for the transmission of electric current and energy at such voltages as may be desired by the Plaintiff in the operation of Plaintiff's electric transmission system over and across the following described tracts of land:

TRACT NO. 1

No. of Structures: 4

Property Owners: James Dalgarn, John H. Dalgarn, Helen Rice

A strip of land one hundred (100') feet in width, including any area in this tract on the 100-foot strip which extends beyond the entry point of the centerline because of the angle of the centerline with the property line, in the East Half ( $E\frac{1}{2}$ ) of the East Half ( $E\frac{1}{2}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of Section 33, Township 18 North, Range 10 East, Creek County, Oklahoma, the centerline of which is described as follows:

Beginning at a point on the North line of said East Half ( $E\frac{1}{2}$ ) approximately one hundred eighty-one (181') feet West of the North one-quarter ( $N\frac{1}{4}$ ) Corner of Section 33, thence in a Southerly direction approximately twenty-six hundred eighty-five (2685') feet to a point on the South line of said East Half ( $E\frac{1}{2}$ ) approximately one hundred ninety one (191') feet West of the Southeast (SE) Corner of said East Half ( $E\frac{1}{2}$ ) of the East Half ( $E\frac{1}{2}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of said Section 33.

TRACT NO. 2

No. of Structures: 2

Property Owners: Betty Jo Fleming

A strip of land one hundred (100') feet in width, including any area in this tract on the 100 foot strip which extends beyond the entry point of the centerline because of the angle of the centerline with the property line, in the East Half ( $E\frac{1}{2}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) Section 26, Township 18 North, Range 10 East, Creek County, Oklahoma, the centerline of which is described as follows:

Beginning at a point on the East line of said East Half ( $E\frac{1}{2}$ ) approximately fourteen hundred eighty-four (1484') feet South of the North one-quarter ( $N\frac{1}{4}$ ) Corner of said Section 26, thence in a Southwesterly direction approximately twelve hundred eighty-three (1283') feet to a point of deflection (135' left) located approximately twenty-five hundred thirteen (2513') feet South of the North line and eighteen hundred eighty four (1884') feet East of the West line of said Section 26, thence in a Southwesterly direction approximately one hundred sixty seven (167') feet to a point on the South line of said East Half ( $E\frac{1}{2}$ ) approximately seventeen hundred eighty-eight (1788') feet East of the West One-Quarter ( $W\frac{1}{4}$ ) Corner of said Section 26.

Plus a fifty (50') foot by fifty (50') foot strip of land for guying lying Southeast (SE) of and adjacent to the above described one hundred (100') foot strip at the point of deflection.

TRACT NO. 3

No. of Structures: 4

Property Owners: Lucille Warrior

A strip of land one hundred (100') feet in width, including any area in this tract on the 100-foot strip which extends beyond the entry point of the centerline because of the angle of the centerline with the property line, part of Lot 3, Section 4, Township 17 North, Range 10 East, lying East of a line due North from a point on the South Boundary thereof, which point is eight hundred eighty (880') feet East of the Southwest (SW) Corner thereof, containing 13.8 acres, more or less, and all that part of Lot 2 of said Section 4, lying West of a line due North from a point on the South boundary thereof, which point is eight hundred eighty (880') feet West of the Southeast (SE) Corner thereof, containing 13.8 acres more or less, the centerline of which is described as follows:

Beginning at a point on the North line of said Lot 3, approximately two hundred one (201') feet West of the Northeast (NE) Corner of said Lot 3, thence in a Southerly direction approximately thirteen hundred seventy eight (1378') feet to a point on the South line of said Lot 3 approximately two hundred five (205') feet West of the Southeast (SE) Corner of said Lot 3, Section 4.

together with the rights, privilege and authority of entering upon said tracts for the purpose of erecting, operating, maintaining or removing said transmission lines and systems, and the right to cut, trim or remove any trees within the limits of said rights-of-way, and the right to remove any structure or obstruction now or hereafter located within the limits of said rights-of-way, if in Plaintiff's judgment such trees or structures are likely to endanger said transmission system or interfere with its operation, construction, maintenance, operation or removal of said electric transmission system, by Plaintiff, its successors and assigns; but nevertheless reserving to each of the Defendants the right to make any use of the above described tracts which is consistent with the use thereof by the Plaintiff for the purposes above mentioned, and which will not endanger or interfere with the operation or maintenance of said electric transmission system.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Report of Commissioners dated January 13, 1982, heretofore filed in this cause, be, and the same is hereby ratified, confirmed and approved.

IT IS FURTHER ORDERED that the Clerk of this Court be, and he is hereby directed to disburse the award of the Commissioners<sup>and the additional amounts</sup> in the total sum of \$10,600.00, which has heretofore been paid into the Registry of this Court, as follows:

Tract No. 1 - James Dalgarn, John H. Dalgarn and Helen Rice	\$ 5,000.00;
--	--------------

Tract No. 2 - Betty Jo Fleming


\$ 2,400.00;

Tract No. 3 - Lucille Warrior

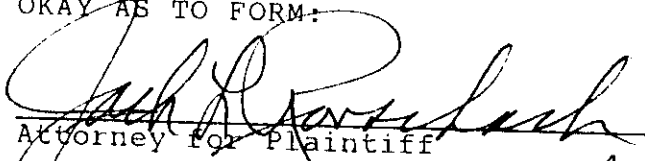
\$ 3,200.00.

IT IS FURTHER ORDERED by the Court that the Clerk of this Court be, and he is hereby directed to distribute the award of the Commissioners <sup>and the additional amounts</sup> so that the hereinabove named persons receive the amount as set opposite each of their names.

The Court further adjudges and decrees that when the above set forth amounts have been paid as above stated, that the case then be closed.

  
United States District Judge

OKAY AS TO FORM:

  
Attorney for Plaintiff

  
Attorney for Defendants

IN THE UNITED STATES COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

JAMES A. MARINO and  
PATRICIA MARINO, husband  
and wife,

Plaintiffs,

vs.

No. 81-C-572-B ✓

BECHTEL PETROLEUM, INC.  
(formerly Bechtel, Inc.)  
a Nevada corporation;  
VULCAN TANK CORPORATION,  
a suspended Oklahoma corpora-  
tion; and FRAM CORPORATION,  
a foreign corporation,

Defendants.

**FILED**

11/10/82

Jack C. Silver, Clerk  
U.S. DISTRICT COURT

ORDER OF DISMISSAL WITH PREJUDICE

This matter coming on for hearing before the Court on this 2<sup>nd</sup> day of May, 1982, upon the application of the plaintiffs for order of dismissal with prejudice in this cause, plaintiffs appearing by counsel, John McCormick, Jr., and the defendant, Bechtel Corporation (formerly Bechtel, Inc.) appearing by counsel, Dale F. McDaniel, and the Court being advised in the premises and having examined the application of the plaintiffs herein, finds that all issues of law and fact heretofore existing between the plaintiffs and this defendant have been settled, compromised, released and extinguished, for valuable consideration flowing from plaintiffs to Bechtel Corporation and from Bechtel Corporation to plaintiffs, and further finds that there remains no issue of law or fact to be determined in this cause as between the plaintiffs and this defendant. The Court further finds that plaintiffs desire to dismiss their cause to future actions for the reasons stated, and that their application should be granted.

BE IT, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that all issues of law and fact heretofore existing between the plaintiffs and Bechtel Corporation have been settled, compromised, released and extinguished for valuable consideration, and that there remains no issue to be determined in this cause between the parties.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that plaintiff's cause and any causes arising therefrom, as against this defendant, be and the same are hereby dismissed with prejudice to all future actions thereon.

BE IT FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that plaintiffs reserve all other actions as against all other defendants herein.

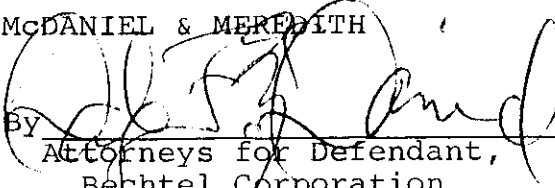
  
Judge

APPROVED:

JOHN MCCORMICK, JR.

By   
Attorney for Plaintiffs

McDANIEL & MEREDITH

By   
Attorneys for Defendant,  
Bechtel Corporation

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

SUPER-SAV DRUG, INC., )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
SOUTHWEST COMPUTING CO., INC., )  
GARY GROFF, individual, and )  
WEST ELECTRIC, INC., )  
 )  
Defendants. )  
 )  
WEST ELECTRIC, INC., )  
 )  
Cross-Plaintiff, )  
 )  
vs. )  
 )  
SOUTHWEST COMPUTING CO., INC., )  
 )  
Cross-Defendant. )

No. 81-C-24-C

**FILED**

1981 10 22

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

J U D G M E N T

It is the judgment of the Court that title to the computer lies with the defendant, West Electric, Inc., and that West Electric is entitled to the computer equipment at issue herein.

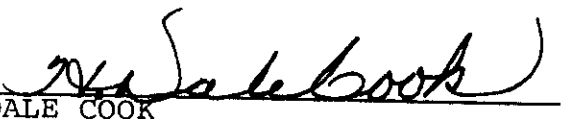
It is the further judgment of the Court that Southwest Computing Co. (Southwest) breached its contract with West as to the sale by Southwest to West Electric of computer equipment and programs; and therefore default judgment is hereby entered against Southwest on the cross-complaint by West Electric. The Court finds that damages should be assessed against Southwest in the amount of \$6,157.20 and attorney fees in the amount of \$12,989.97.

As to Super-Sav's default judgment, entered on September 15, 1981, the Court finds that damages should be and hereby are assessed against defendants Groff and Southwest as follows: \$20,953.00 in actual damages, \$2,184.82 in pre-judgment interest, \$44,711.51 in incidental and consequential damages, \$10,000.00 in



punitive damages, \$8,868.20 in attorney fees, plus interest on the judgment in accordance with 12 O.S.A. §727.

It is so Ordered this 7<sup>th</sup> day of May, 1982.

  
H. DALE COOK  
Chief Judge, U. S. District Court

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LARRY D. RYALS,

Defendant.

CIVIL ACTION NO. 82-C-423-E

AGREED JUDGMENT

This matter comes on for consideration this 7 day  
of \_\_\_\_\_, 1982, the Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Nancy A. Nesbitt, Assistant United States Attorney, and  
the Defendant, Larry D. Ryals, appearing pro se.

The Court, being fully advised and having examined the  
file herein, finds that the Defendant, Larry D. Ryals, was  
personally served with Summons and Complaint on April 10, 1982.  
The Defendant has not filed his Answer but in lieu thereof has  
agreed that he is indebted to the Plaintiff in the amount alleged  
in the Complaint and that Judgment may accordingly be entered  
against him in the amount of \$661.13, plus 12 percent interest  
from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that  
the Plaintiff have and recover Judgment against the Defendant,  
Larry D. Ryals, in the amount of \$661.13, plus 12 percent  
interest from the date of this Judgment until paid.

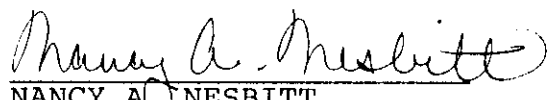
H. DALE COOK

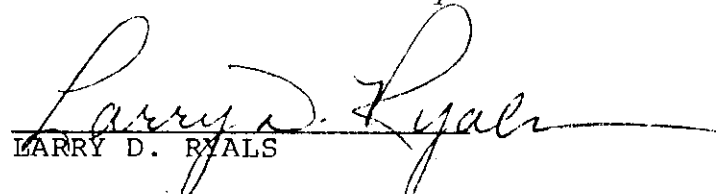
UNITED STATES DISTRICT JUDGE

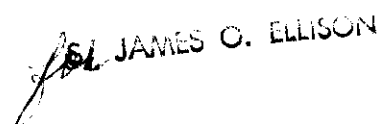
APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
NANCY A. NESBITT  
Assistant U.S. Attorney

  
LARRY D. RYALS

 J. JAMES O. ELLISON

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HUNTER BOATS, INC.,

Defendant.

CIVIL ACTION NO. 82-C-381-E

DEFAULT JUDGMENT

This matter comes on for consideration this 7<sup>th</sup> day of May, 1982, the Plaintiff appearing by Frank Keating, United States Attorney, through Don J. Guy, Assistant United States Attorney for the Northern District of Oklahoma, and the Defendant, Hunter Boats, Inc., appearing not.

The Court being fully advised and having examined the file herein finds that Defendant, Hunter Boats, Inc., was personally served with Summons and Complaint on April 5, 1982, by serving Larry Baumert, President. The time within which the Defendant could have answered or otherwise moved as to the Complaint has expired and has not been extended. The Defendant has not answered or otherwise moved, and default has been entered by the Clerk of this Court. Plaintiff is entitled to Judgment as a matter of law.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Defendant, Hunter Boats, Inc., shall pay to the Plaintiff, United States of America, a penalty in the amount of \$940.00, together with interest and costs, and such other relief as the Court deems just and proper.

H. DALE COOK

*for* JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

FILED

1982

JAN 10 1982  
U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TOMMY D. LAYNE,

Defendant.

CIVIL ACTION NO. 82-C-354-E

AGREED JUDGMENT

This matter comes on for consideration this \_\_\_\_\_ day  
of \_\_\_\_\_, 1982, the Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Nancy A. Nesbitt, Assistant United States Attorney, and  
the Defendant, Tommy D. Layne, appearing pro se.

The Court, being fully advised and having examined the  
file herein, finds that the Defendant, Tommy D. Layne, was  
personally served with Summons and Complaint on March 24, 1982.  
The Defendant has not filed his Answer but in lieu thereof has  
agreed that he is indebted to the Plaintiff in the amount alleged  
in the Complaint and that Judgment may accordingly be entered  
against him in the amount of \$661.20, plus 12 percent interest  
from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that  
the Plaintiff have and recover Judgment against the Defendant,  
Tommy D. Layne, in the amount of \$661.20, plus 12 percent  
interest from the date of this Judgment until paid.

H. DALE COOK

LSA JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

Nancy A. Nesbitt  
NANCY A. NESBITT  
Assistant U.S. Attorney

Tommy D. Layne  
TOMMY D. LAYNE

IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF OKLAHOMA

**FILED**

RAYMOND NAQUIN,

Plaintiff,

vs.

EMPIRE INDEMNITY INSURANCE CO.,

Defendant.

MAY - 5 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

No. 81-C-205-E

O R D E R

On this 5 day of May, 1982, the  
Joint Application to Dismiss with Prejudice came on before the  
Court for hearing. The Court finds that the parties have entered  
into a settlement of the above-captioned matter wherein defendant  
is to pay plaintiff \$3,000.00, and the Court hereby holds that  
said Joint Application is granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that  
the above captioned matter is dismissed with prejudice.

(Signed) H. Dale Cook *for* S/ JAMES O. ELLISON  
JUDGE OF THE UNITED STATES DISTRICT  
COURT

FILED

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 4 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

DANIEL J. McCLURE,

Defendant.

CIVIL ACTION NO. 82-C-483-B

AGREED JUDGMENT

This matter comes on for consideration this 29th day of April, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Don J. Guy, Assistant United States Attorney, and the Defendant, Daniel J. McClure, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, Daniel J. McClure, was personally served with Summons and Complaint on April 23, 1982. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of \$593.60, plus 12% interest from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, Daniel J. McClure, in the amount of \$593.60, plus 12% interest from the date of this Judgment until paid.

S/ THOMAS R. BRETT


UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
DON J. GUY  
Assistant U.S. Attorney

  
DANIEL J. McCLURE

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY 4 1982

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

DAVID M. EDWARDS,  
Defendant.

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

CIVIL ACTION NO. 82-C-431-B

AGREED JUDGMENT

This matter comes on for consideration this 29th day of April, 1982, the Plaintiff appearing by Frank Keating, United States Attorney for the Northern District of Oklahoma, through Don J. Guy, Assistant United States Attorney, and the Defendant, David M. Edwards, appearing pro se.

The Court, being fully advised and having examined the file herein, finds that the Defendant, David M. Edwards, was personally served with Summons and Complaint on April 14, 1982. The Defendant has not filed his Answer but in lieu thereof has agreed that he is indebted to the Plaintiff in the amount alleged in the Complaint and that Judgment may accordingly be entered against him in the amount of \$622.00, plus 12 percent interest from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff have and recover Judgment against the Defendant, David M. Edwards, in the amount of \$622.00, plus 12 percent interest from the date of this Judgment until paid.

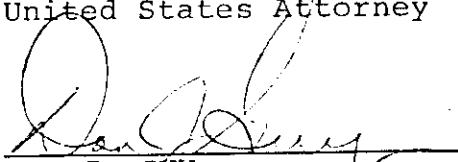
S/ THOMAS R. BRETT

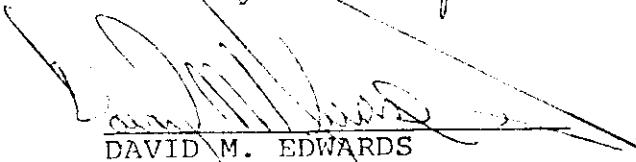
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
DON J. GUY  
Assistant U. S. Attorney

  
DAVID M. EDWARDS

FILED

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MAY - 4 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

BRUCE W. EDMUNDSON,  
Defendant.

CIVIL ACTION NO. 82-C-178-E

AGREED JUDGMENT

This matter comes on for consideration this 4th day  
of May, 1982, the Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Don J. Guy, Assistant United States Attorney, and the  
Defendant, Bruce W. Edmundson, appearing pro se.

The Court, being fully advised and having examined the  
file herein, finds that the Defendant, Bruce W. Edmundson, was  
personally served with Summons and Complaint on February 26,  
1982. The Defendant has not filed his Answer but in lieu thereof  
has agreed that he is indebted to the Plaintiff in the amount  
alleged in the Complaint and that Judgment may accordingly be  
entered against him in the amount of \$222.73, plus 12% interest  
from the date of this Judgment until paid.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that  
the Plaintiff have and recover Judgment against the Defendant,  
Bruce W. Edmundson, in the amount of \$222.73, plus 12% interest  
from the date of this Judgment until paid.

1/s/ L. Hall Cook Jr  
UNITED STATES DISTRICT JUDGE  
James O. Ellison

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

Don J. Guy  
DON J. GUY  
Assistant U.S. Attorney

Bruce W. Edmundson  
BRUCE W. EDMUNDSON



IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**

MAY - 4 1982

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BEVERLY J. WEBB a/k/a

BEVERLY WEBB,

Defendant.

Jack C. Silver Clerk  
U. S. DISTRICT COURT

CIVIL ACTION NO. 81-C-301-E

O R D E R

For a good cause having been shown, it is hereby  
ordered, adjudged and decreed that the above-referenced action is  
hereby dismissed without prejudice against the United States of  
America.

Dated this 4<sup>th</sup> day of may, 1982.

*[Signature]*  
UNITED STATES DISTRICT JUDGE  
*for James O. Ellison*

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

BOB FLAKE,

Plaintiff,

vs.

CENERGY, INC., a foreign  
corporation, and RUSSELL  
CREEK COAL COMPANY, a  
foreign corporation,

Defendants.

NO. 81-C-92-E

**FILED**

MAY 4 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

ORDER OF DISMISSAL

ON This 4th day of May, 1982, upon the written application of the parties for A Dismissal with Prejudice of the Complaint and all causes of action, the Court having examined said application, finds that said parties have entered into a compromise settlement covering all claims involved in the Complaint and have requested the Court to dismiss said Complaint with prejudice to any future action, and the Court being fully advised in the premises, finds that said Complaint should be dismissed pursuant to said application.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Complaint and all causes of action of the plaintiff filed herein against the defendant be and the same hereby is dismissed with prejudice to any future action.

(Signed) H. Dale Cook

JUDGE, DISTRICT COURT OF THE UNITED  
STATES, NORTHERN DISTRICT OF OKLAHOMA

APPROVAL:

CURTIS L. CULVER

Attorney for the Plaintiff

ALFRED B. KNIGHT

Attorney for the Defendant

*for* JAMES O. ELLISON

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

H. RAY LADD,

Plaintiff,

vs.

CENERGY, INC., a foreign  
corporation, and RUSSELL  
CREEK COAL COMPANY, a  
foreign corporation,

Defendants.

NO. 81-C-91-E

**FILED**

MAY 4 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

ORDER OF DISMISSAL

ON This 4<sup>th</sup> day of May, 1982, upon the written application of the parties for A Dismissal with Prejudice of the Complaint and all causes of action, the Court having examined said application, finds that said parties have entered into a compromise settlement covering all claims involved in the Complaint and have requested the Court to dismiss said Complaint with prejudice to any future action, and the Court being fully advised in the premises, finds that said Complaint should be dismissed pursuant to said application.

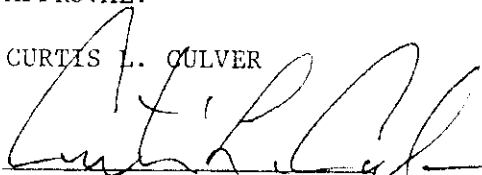
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Complaint and all causes of action of the plaintiff filed herein against the defendant be and the same hereby is dismissed with prejudice to any future action.

(Signed) H. Dale Ladd

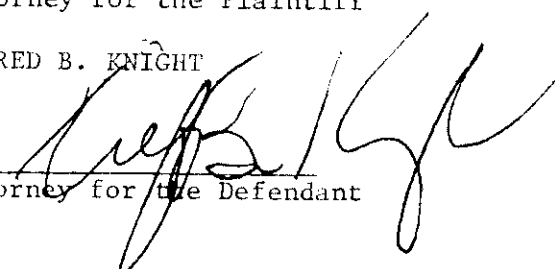
JUDGE, DISTRICT COURT OF THE UNITED  
STATES, NORTHERN DISTRICT OF OKLAHOMA


APPROVAL:

CURTIS L. CULVER

  
Attorney for the Plaintiff

ALFRED B. KNIGHT

  
Attorney for the Defendant

 JAMES O. ELLISON

# REPORT LED

MAY - 4 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

No. 78-C-321-E

) ) ) ) ) ) ) )

## ORDER

Upon joint application of the parties, and for good cause shown, the above-styled action is dismissed with prejudice.

(Signed) H. Dale Cook, for S/ JAMES O. ELLISON  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -4 1982

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

DENNIS P. FISK,

Defendant.

CIVIL ACTION NO. 82-C-232-C

AGREED JUDGMENT

This matter comes on for consideration this 4th day  
of May, 1982, the Plaintiff appearing by Frank Keating,  
United States Attorney for the Northern District of Oklahoma,  
through Don J. Guy, Assistant United States Attorney, and the  
Defendant, Dennis P. Fisk, appearing pro se.

The Court, being fully advised and having examined the  
file herein, finds that the Defendant, Dennis P. Fisk, was  
personally served with Summons and Complaint on March 2, 1982.  
The Defendant has not filed his Answer but in lieu thereof has  
agreed that he is indebted to the Plaintiff in the amount alleged  
in the Complaint and that Judgment may accordingly be entered  
against him in the amount of \$1,431.07, plus 12 percent interest  
from the date of this Judgment until paid.

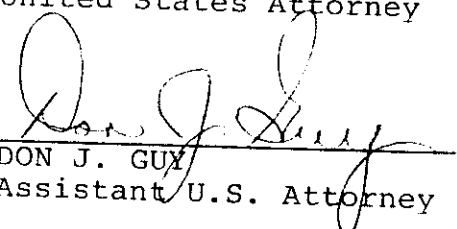
IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED that  
the Plaintiff have and recover Judgment against the Defendant,  
Dennis P. Fisk, in the amount of \$1,431.07, plus 12 percent  
interest from the date of this Judgment until paid.

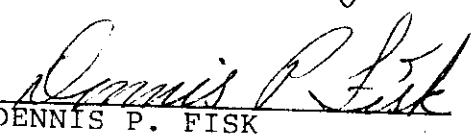
  
UNITED STATES DISTRICT JUDGE

APPROVED:

UNITED STATES OF AMERICA

FRANK KEATING  
United States Attorney

  
DON J. GUY  
Assistant U.S. Attorney

  
DENNIS P. FISK

**FILED**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

MAY 4 1982

PEAVEY COMPANY, a  
Minnesota corporation,

Plaintiff,

v.

DON R. MOON, an individual,

Defendant.

Jack C. Silver, Clerk  
U. S. DISTRICT COURT

No. 80-C-362-BT

ORDER OF DISMISSAL WITH PREJUDICE

Now on this 29<sup>th</sup> day of April, 1982, the above styled and numbered Cause comes on for consideration by the Court upon the Joint Stipulation for Dismissal of the Plaintiff, Peavey Company ("Peavey"), and the Defendant and Counter-Claimant, Don R. Moon ("Moon"). The Court, having examined the Joint Stipulation for Dismissal, finds that the Plaintiff and the Defendant have entered into a compromise agreement for settlement of the claims of the Plaintiff against the Defendant and of the claims of the Defendant against the Plaintiff and that all causes of action that the Plaintiff may have against the Defendant and the Defendant may have against the Plaintiff and arising out of the transactions described in the pleadings filed herein, should be dismissed with prejudice pursuant to the Joint Stipulation for Dismissal.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that the Cause of Action filed by the Plaintiff, Peavey Company against the Defendant, Don R. Moon and the Counterclaim of the Defendant Don R. Moon against the Plaintiff, Peavey Company, be and the same, are hereby dismissed with prejudice as to future filing.

S/ THOMAS R. BRETT  
\_\_\_\_\_  
United States District Court Judge

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

OKLAHOMA BUSINESS MACHINES, INC. :

CIVIL ACTION NO.

Plaintiff :

80-C-252-BT

vs. :

ORDER OF DISMISSAL

SENTINEL COMPUTER CORPORATION :

Defendant :

MAY 4 1982

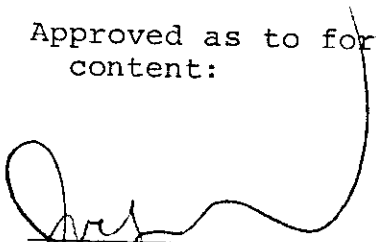
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

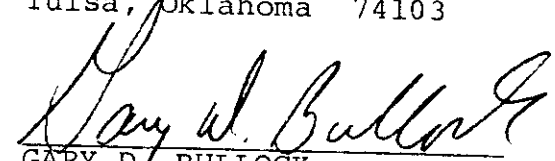
Upon joint application of both plaintiff and defendant,  
indicating that both parties have fully compromised and  
settled all claims and counterclaims at issue in this litigation,  
the Court hereby orders that the case be dismissed, with  
prejudice to both parties.

Approved as to form and  
content:

S/ THOMAS R. BRETT

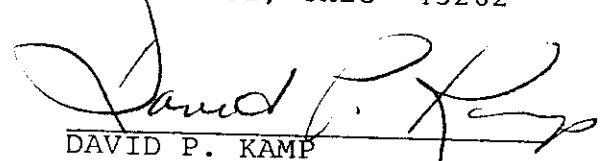
JUDGE

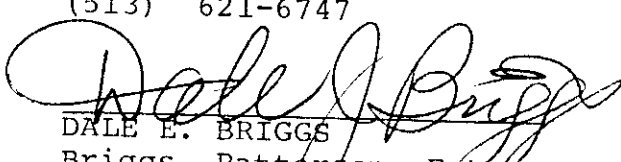
  
JOEL WOHLGEMUTH  
Prichard, Norman & Wohlgemuth  
909 Kennedy Building  
Tulsa, Oklahoma 74103

  
GARY D. BULLOCK  
2100 Fountain Square Plaza  
511 Walnut Street  
Cincinnati, Ohio 45202

Of Counsel:

DINSMORE & SHOHL

  
DAVID P. KAMP  
2100 Fountain Square Plaza  
511 Walnut Street  
Cincinnati, Ohio 45202  
(513) 621-6747

  
DALE E. BRIGGS  
Briggs, Patterson, Eaton & Berg  
P.O. Box Drawer #4566  
Tulsa, Oklahoma 74104  
(913) 743-8717

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FLOYD W. JONES, Administrator  
of the Estate of SHERRY R.  
MEACHEM, Deceased,

Plaintiff,

vs.

C.T.M., INC., KOEHRING COMPANY,  
a Wisconsin corporation, and  
KOEHRING COMPANY, a Delaware  
corporation,

Defendants.

No. 82-C-140-B

**FILED**

**MAY 3 - 1982**

JOHN C. SILVER, Clerk  
U. S. DISTRICT COURT

ORDER OF REMAND

This matter comes on for hearing on April 21, 1982 on plaintiff's Motion to Remand and defendant C.T.M., Inc.'s Motion to Stay Ruling on Motion to Remand. For the reasons set forth below, plaintiff's motion is granted and defendant's motion is denied.

Plaintiff brought this action initially in the District Court of Tulsa County, Oklahoma on January 13, 1982 (CT-82-10). Thereafter, on February 8, 1982, defendants Koehring Company, a Wisconsin corporation, and Koehring Company, a Delaware corporation (jointly referred to as the "removing defendants"), removed the action to this Court. For its petition for removal, defendants alleged plaintiff is a citizen of the State of Oklahoma while defendants are corporations incorporated and having their principal places of business in states other than Oklahoma. Although acknowledging the co-defendant C.T.M., Inc., is a citizen of Oklahoma such as



normally would defeat diversity of citizenship, the removing defendants asserted the joinder of such co-defendant was fraudulent and improper and done for the sole purpose of preventing removal of the action to this Court. In support of their allegation of fraudulent joinder, the removing defendants contended plaintiff's claims against the co-defendant C.T.M., Inc., as alleged in the state district court action are barred by the exclusive remedy provision of 85 Okl. St. Ann. §12.

In support of his motion to remand, plaintiff denies the death of his deceased arose out of and in the course of her employment with C.T.M., Inc., and therefore denies his action against C.T.M., Inc., is barred by 85 Okl.St.Ann. §12. Further, plaintiff advises the Court a compensation action filed with the Workers' Compensation Court on behalf of his decedent is being held in abeyance pending the outcome of the civil action filed in the District Court of Tulsa County.

Although the removing defendants in their brief in response to plaintiff's motion to remand and defendant C.T.M., Inc., in its brief in support of its motion to stay have attempted to demonstrate why the alleged injuries to plaintiff's decedent must be found to have arisen in the course of her employment, the Court concludes that factual determination is not the question presently before the Court. Rather, the inquiry to be considered is whether there exists any possibility a right to relief exists against C.T.M., Inc.,

outside of the Workers' Compensation Court.<sup>1/</sup> Town of Freedom, Oklahoma v. Muskogee Bridge Co., Inc., 466 F.Supp. 75, 78 (W.D. Okl.1978).

Removability of an action must be determined from the face of the complaint, and, therefore, in passing on the removability of an action the Court is not at liberty to pretry factual issues. See, e.g., Bruan, Gordon & Co. v. Hellmers, 502 F. Supp. 897, 900 (S.D.N.Y. 1980). In order to sustain a removal where fraudulent joinder is alleged, the Court must be able to grant a motion to dismiss the alleged fraudulently joined party. Town of Freedom, Oklahoma v. Muskogee Bridge Co., 466 F.Supp. 75, 78 (W.D. Okl.1978). Applying the rule to the instant case, the Court would have to conclude as a matter of law plaintiff's action against C.T.M., Inc., is barred by the provisions of 85 Okl.St.Ann. §85 to find a fraudulent joinder and, thus, to sustain the removal. The Court cannot reach such a conclusion without the appropriate state court having first determined the underlying factual controversy as to whether plaintiff's deceased's injuries arose in the course of her employment.

The underlying factual controversy presumably will be resolved, and with it the state jurisdictional question, in

---

<sup>1/</sup> At first glance it would appear the question whether 85 Okl.St.Ann. §12 bars an action outside of the Workers' Compensation Court necessarily subsumes the question whether plaintiff's deceased's injuries arose in the course of her employment. This would perhaps be true where the parties stipulated to whether the injuries arose in the course of employment or not, for in such a case, the Court would need only make the rather evident determination as to whether 85 Okl.St.Ann. §12 barred the action.

accordance with the decision of the Oklahoma Supreme Court in Miller Construction Company v. Wenthold, 458 P.2d 637 (Okla. 1969). In Wenthold, plaintiff filed a wrongful death action in the state district court and thereafter brought a claim for death benefits in the State Industrial Court, the predecessor to the Workers' Compensation Court.<sup>2/</sup> The two defendants named in the compensation claim moved to dismiss in the state district court action alleging that court lacked jurisdiction, and the district court overruled their motions. On appeal, the Oklahoma Supreme Court, relying on Rex Truck Lines, Inc. v. Simms, 401 P.2d 520 (Okla. 1965), held that where there is a conflict of jurisdiction between the state district court and the State Industrial Court, the two courts have concurrent jurisdiction to hear and determine the jurisdictional question.<sup>3/</sup>

---

<sup>2/</sup> Having filed a claim for death benefits under the Workmen's Compensation Act, the plaintiff in Wenthold requested the Industrial Court to hold her compensation claim in abeyance pending a final determination of the issues presented in the state district court action. Presumably, the plaintiff there filed the action in both state district court and the Industrial Court for the same reason any plaintiff would, including the plaintiff in the instant matter, viz: to prevent the statute of limitations from extinguishing the claim in the event the plaintiff chose the wrong forum initially.

<sup>3/</sup> The Court also found the district court had acted correctly in retaining jurisdiction, stating the first court acquiring jurisdiction should be permitted to hear, determine and adjudicate the question. 458 P.2d at 643. In the instant case, the first court to acquire jurisdiction was the Workers' Compensation Court, and counsel for the removing defendants has advised the Court defendant C.T.M., Inc., has requested a jurisdictional hearing before that court.

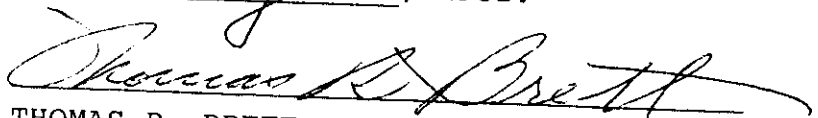
458 P.2d at 643. This being the law, the instant matter is not ripe for removal.

Defendant C.T.M., Inc., requests this Court stay its ruling on plaintiff's motion to remand until the jurisdictional question is resolved, presumably by the Workers' Compensation Court. The fundamental problem with this request is, in the absence of a finding of fraudulent joinder, there exists no diversity and, hence, the Court lacks subject matter jurisdiction over the instant case. Upon finding a case has been improvidently removed from state court, the Court has no authority over the case other than to remand it to state court. 28 U.S.C.A. §1447(c). See also, Hart v. Wendling, 505 F.Supp. 52, 54 (W.D. Okl.1980); Town of Freedom, Oklahoma v. Muskogee Bridge Co., Inc., 466 F.Supp. 75, 79 (Okl. 1978). Accordingly, the motion to stay is not properly before the Court and the case must be remanded.

IT IS THEREFORE ORDERED plaintiff's Motion to Remand is hereby granted and the case is remanded to the District Court of Tulsa County, Oklahoma. The Clerk of the Court is directed to take the necessary action to remand the case to the said court.

IT IS FURTHER ORDERED defendant C.T.M., Inc.'s Motion to Stay Ruling on Motion to Remand is hereby denied as the Court lacks subject matter jurisdiction over the instant case.

ENTERED this 1<sup>st</sup> day of May, 1982.



THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF OKLAHOMA

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

JAMES RIVER CORPORATION,  
Plaintiff,  
vs.  
BURNING HILLS GROUP OF  
COMPANIES LIMITED,  
Defendant.

Case No. 81-C-555-C

**FILED**

MAY 3 - 1982

JOURNAL ENTRY OF JUDGMENT

Don C. Silver, Clerk  
U. S. DISTRICT COURT

NOW on this 3<sup>rd</sup> day of May, 1982, the captioned matter comes on for hearing before the undersigned United States District Judge and the Plaintiff JAMES RIVER CORPORATION ("James River") appears by its attorney, Dana L. Rasure of Baker, Hoster, McSpadden, Clark & Rasure, and the Defendant BURNING HILLS GROUP OF COMPANIES LIMITED ("Burning Hills") appears by its attorney Dianne L. Smith of Chapel, Wilkinson, Riggs, Abney & Henson. The Court, having reviewed the pleadings and having further heard the statement of counsel for Burning Hills that Burning Hills agrees to confess judgment and waive its right to appeal and herein admits that the allegations set forth in James River's Complaint are true and correct, finds that James River should be granted judgment in its favor on the Guaranty of the indebtedness of Continental Forms, Inc. described in the Complaint in the principal sum of \$185,020.09, together with James River's reasonable attorney's fees in the amount of \$7,000.00, and James River's court costs herein in the amount of \$107.93.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that James River be granted judgment in its favor against Burning

Hills for the principal sum of \$185,020.09, together with James River's reasonable attorney's fees in the amount of \$7,000.00 and the court costs of this civil action in the amount of \$107.93.

H. Dale Cook  
H. Dale Cook, United States  
District Judge for the  
Northern District of Oklahoma

APPROVED:

Dana L. Rasure  
Dana L. Rasure  
Baker, Hoster, McSpadden  
Clark & Rasure  
550 Grantson Building  
Tulsa, Oklahoma 74103  
Attorney for Plaintiff  
JAMES RIVER CORPORATION

Dianne L. Smith  
Dianne L. Smith  
Chapel, Wilkinson, Riggs,  
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